

GUIDE TO GOVERNMENT IN HAWAII

(Twelfth Edition)

Revised by

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FOREWORD

The twelfth edition of the *Guide to Government in Hawaii*, a companion volume to the Directory of State, County and Federal Officials, revises and updates the earlier edition. Following the eleventh edition's basic format, this Guide discusses state and county departments and their organization and the agencies of the federal government having offices in Hawaii. Organizational charts of the counties and state government are also included.

The Bureau extends its sincere appreciation to the many county, state, and federal government officials who provided information for their respective jurisdictions.

Wendell K. Kimura
Acting Director

June 2002

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STATE GOVERNMENT

The Hawaiian Islands were discovered more than fourteen centuries ago by ancient Polynesians. Since 1778 when the first European, Captain James Cook, discovered the islands, they have been organized successively as a kingdom, a republic, an American territory, and a state of the United States.

The annexation, or transfer of sovereignty, of Hawaii to the United States took place on August 12, 1898, when Harold M. Sewell, Minister of the United States to the Republic of Hawaii, presented Sanford B. Dole, President of the Republic of Hawaii, a certified copy of a Joint Resolution of the United States Congress (Public Resolution No. 51, 55th Congress, 2nd Session), entitled "Joint Resolution to Provide for Annexing the Hawaiian Islands to the United States." The Joint Resolution had been approved by President William McKinley on July 7, 1898. Hawaii became a territory under the Organic Act, "An Act to Provide a Government for the Territory of Hawaii" (chapter 339, 31 Stat. 141), approved on April 30, 1900, and effective June 14, 1900. Statehood was attained in 1959 when Congress passed Senate Bill 50 on March 12, 1959. President Eisenhower signed the Admission Act, Public Law 86-3, on March 18, 1959. The official proclamation of admission was issued by the President on August 21, 1959.

The Constitution of the State of Hawaii was formulated by the 1950 Constitutional Convention, ratified by voters of the Territory on November 7, 1950, and amended on June 27, 1959, at the time of the plebiscite on the admission of Hawaii to the Union. Since 1950, there have been two Constitutional Conventions, in 1968 and 1978. In addition to constitutional revision and amendments proposed by a constitutional convention and approved by voters, pursuant to the State Constitution, Article XVII, section 2, the Constitution also provides, under Article XVII, section 3, for the Legislature to propose constitutional amendments to be approved or rejected by the electorate at the next general election. Thus the State Constitution has been amended numerous times.

THE LEGISLATURE

The legislative power of the State, under the State Constitution, Article III, section 1, is vested in a Legislature which consists of two houses, a Senate and a House of Representatives. The Legislature's power extends to all rightful subjects of legislation not inconsistent with the State Constitution or the Constitution of the United States.

Annually, on the third Wednesday in January, the Hawaii State Legislature convenes in Regular Session to consider all proper subjects for legislation. In addition to its law-making functions, the Legislature performs functions which include fact-finding and similar investigations, receiving and considering requests or petitions from groups and individuals, confirming certain officers appointed by the Governor (a function that is the prerogative of the Senate under Article V, section 6, of the State Constitution), participating in amending the

Constitution, and exercising quasi-judicial authority to punish in cases of certain offenses against the Legislature or its members.

The Senate consists of twenty-five members elected from twenty-five senatorial districts for staggered four-year terms. The House of Representatives consist of fifty-one members elected from fifty-one representative districts for two-year terms.

Each house adopts its own rules, establishes standing committees, maintains its own records, and elects its own officers. The presiding officer of the Senate is the President of the Senate. In the House, the presiding officer is the Speaker of the House of Representatives.

Qualifications of Legislators

To be eligible to serve as a member of the Legislature, a person must have attained the age of majority, be a resident of the State for not less than three years, and be a qualified voter of the district from which election is sought, pursuant to the State Constitution, Article III, section 6.

Officers

President of the Senate and Speaker of the House. The presiding officers of the respective houses have virtually identical duties as prescribed in the rules of their respective bodies. Their functions include:

- (1) Chairing the meetings of their respective houses;
- (2) Maintaining order in the chamber;
- (3) Controlling and routing the flow of business and communications in their respective houses;
- (4) Clarifying rules and deciding on questions of order; and
- (5) Other duties required by law or by the rules of their respective houses.

Vice President and Vice Speaker. The Vice President and the Vice Speaker, in the absence of their respective presiding officers, assume the powers and duties of the presiding officer.

Clerk and Assistant Clerks. The clerks of both houses are the custodians of the records of the respective houses. In addition, the clerks and their assistants perform various supportive and fiscal responsibilities, such as routing communications and resolutions, paying approved bills and accounts, and managing property.

Sergeant-at-Arms. The Sergeant-at-Arms of each house and their staffs maintain order among the spectators at the daily sessions, supervise the distribution of incidental supplies, supervise messengers, and perform other duties as requested by the presiding officers.

Committees

Legislative standing committees are named for the program area or areas over which they have responsibility. Standing committees vary in size and number from session to session. Their names may also change from year to year. Committees review programs, proposed legislation, financial plans, and other matters within the scope of their responsibility. The findings and recommendations of the committees are reported to the whole house by standing committee reports for consideration.

Other types of legislative committees include: special committees, which are temporarily appointed to consider and report on special matters referred to them; conference committees, which are appointed to reconcile the differences of each house on legislative measures requiring the approval of both houses; interim committees which function between regular sessions; and the committee of the whole.

Reapportionment Commission

Under the State Constitution, Article IV, section 1, the years 1973 and 1981, and every tenth year thereafter, are reapportionment years.

Under the State Constitution, Article IV, section 2, and section 25-1, Hawaii Revised Statutes, a nine-member Reapportionment Commission is constituted on or before May 1 of each reapportionment year and whenever reapportionment is required by court order. The Senate President and House Speaker each select two members. Members of each house belonging to the party or parties different from that of the President or Speaker designate one of their number for each house and the two so designated each select two members. The eight members so selected then select, by a vote of six members, the ninth member who serves as Chairperson of the Commission.

The Commission acts by majority vote of its membership and establishes its own operating procedures, except where provided for by law.

The Constitution prescribes guidelines for the formulation of a reapportionment plan:

- (1) No district shall extend beyond the boundaries of any basic island unit (county) [not followed due to a court-prescribed reapportionment plan in 1982 and the 1984 Reapportionment Commission plan];
- (2) No district shall be so drawn as to unduly favor a person or political faction;

- (3) Except in the case of districts encompassing more than one island, districts shall be contiguous;
- (4) Insofar as practicable, districts shall be compact;
- (5) Where possible, district lines shall follow permanent and easily recognized features, such as streets, streams, and clear geographical features, and when practicable, shall coincide with census tract boundaries;
- (6) Where practicable, representative districts shall be wholly included within senatorial districts;
- (7) Not more than four members shall be elected from any single district;
- (8) Where practicable, submergence of an area in a larger district wherein substantially different socioeconomic interests predominate shall be avoided.

Not more than one hundred days after its members are certified, the Commission publishes a proposed reapportionment plan for the State Legislature and a proposed reapportionment plan for the United States congressional districts and holds at least one public hearing on the proposed plans in each basic island unit. Not more than one hundred fifty days after its members are certified, the Commission makes any corrections or modifications to the plans and files with the Chief Election Officer the final legislative and congressional reapportionment plans.

Apportionment Advisory Councils. Under the State Constitution, Article IV, section 2, and section 25-7, Hawaii Revised Statutes, the four officials designated as selecting authorities for the Reapportionment Commission also select one person from each basic island unit to serve on an Apportionment Advisory Council for that island unit. Each Council serves in an advisory capacity to the Commission on matters relating to its island unit. The Councils remain in existence during the life of the Commission.

LEGISLATIVE SERVICE AGENCIES

Office of the Auditor

Article VII, Section 10, of the Hawaii Constitution provides for the appointment of the Auditor. The Auditor is appointed by a majority vote of each house in joint session for a term of eight years. By a two-thirds vote of the members of the Legislature in joint session, the Auditor may be removed from office for cause.

The powers and duties of the Auditor are provided for in chapter 23, Hawaii Revised Statutes. The Auditor conducts post-audits of all transactions, books, accounts, programs, and performances of state and county departments, agencies, and offices. The post-audits are intended to discover any evidence of unauthorized, illegal, irregular, or unsafe handling or expenditure of state funds. In addition, post-audits are conducted to evaluate financial administration and programs and performance of state and county agencies. The Auditor also carries out procurement compliance audits and analyses of proposed mandatory health insurance, professional and occupational regulatory programs, and special, revolving, and trust funds. The Auditor also conducts such studies and investigations as may be directed by the Legislature.

The Auditor is provided with the authority to examine and inspect all books, records, files, papers, documents, and all financial affairs of every state and county agency. The Auditor may issue subpoenas compelling testimony or the production of other evidence.

State Ethics Commission. The State Ethics Commission, established within the Office of the Auditor for administrative purposes under section 84-21, Hawaii Revised Statutes, consists of five members. Members of the Commission can hold no other public office and must be United States citizens and residents of the State. The original members of the Commission were appointed by the Governor from a panel of ten persons nominated by the Judicial Council. Members of the Commission serve for four years and cannot be appointed to more than two consecutive terms. Vacancies are filled by gubernatorial appointment from a list of two persons submitted by the Judicial Council.

The Commission serves as the mechanism through which problems of conflicting interest in public office are resolved and eliminated. The Commission prescribes forms for the disclosures required by Article XIV, the Code of Ethics, of the State Constitution and section 84-17, and the gifts disclosure statements required by section 84-11.5, Hawaii Revised Statutes, and establishes procedures for implementing the requirements of these provisions. In cases relating to the Code of Ethics, the Commission renders advisory opinions based on the facts and circumstances found in its investigations. It may initiate, receive, and consider charges concerning violations of ethics laws and may investigate and hold hearings relative to the charges. The Commission has the authority to subpoena witnesses and to receive testimony under oath on matters before it and may require the production of records and documents required in its investigation.

The Commission administers chapter 97, Hawaii Revised Statutes, relating to lobbyists. The Commission prescribes statements and reports required on the registration of and contributions and expenditures by lobbyists. Hearings are conducted by the Commission on alleged violations of the lobbyists law and referral on such matters is made to the state Attorney General or Prosecuting Attorney of Honolulu.

Legislative Reference Bureau

The Legislative Reference Bureau, established under section 23G-1, Hawaii Revised Statutes, drafts bills and provides impartial research and reference services on legislative issues to the Legislature and legislators. The Director of the Legislative Reference Bureau is appointed for a six-year term by a majority vote of each house of the Legislature in joint session, and may be removed by two-thirds vote of the members in joint session for reasons of neglect of duty, misconduct, or disability. Employees of the Bureau are hired by the Director and serve at the Director's pleasure. The staff of the Bureau is prohibited by law from revealing to any person outside of the Bureau the contents of any request for services except with the consent of the requestor.

As part of its research and reference service, the Bureau cooperates with other states and territories in securing reports and information on all matters relating to legislative problems. The Bureau also maintains a reference library for the use of the Legislature, legislative service agencies, departments, agencies, and the general public. Upon request by the Legislature, the Bureau conducts studies and performs legal research on matters necessary for the enactment of substantive legislation and serves in an advisory capacity to the Legislature and its committees and to other legislative service agencies.

The Bureau is charged with controlling and maintaining any legislative data processing program that may be established. The use of electronic data processing by the Legislature provides on-line search capabilities for information on bills and resolutions introduced in the Legislature, for the Hawaii Revised Statutes, for miscellaneous information concerning the Legislature, such as committees and governor's messages, and for the library catalogues of the Bureau Library and several other government research libraries in a cooperative network.

The Bureau also provides assistance to the general public in finding and following legislative measures through its legislative information systems office which is in charge of the legislative data processing program.

Revisor of Statutes. Chapter 23G, part II, Hawaii Revised Statutes, provides for statute revision and publication. Under section 23G-11, Hawaii Revised Statutes, the Director, or a member of the staff of the Bureau designated by the Director, is the Revisor of Statutes of the State. The duties of the Revisor are: the publication of the session laws and supplement to, and replacement volumes of, the Revised Statutes; review of annotations to the Revised Statutes; continuous revision of the statutes; publication of the Hawaii Administrative Rules index and supplements thereto; and the preparation of rules of format to be followed by all state agencies in

the compilation and publication of their rules. The rules and the index are prepared so as to be accessible to the public in the Office of the Lieutenant Governor.

As soon as possible after the close of each legislative session, the laws enacted by the Legislature are prepared for publication with a suitable index and tables showing what statutes have been affected. In addition, a cumulative pocket part supplement to the last revision of the laws of Hawaii, containing all laws of a general and permanent nature enacted subsequent to the last revision of the laws, and a cumulative index are prepared. The statutes are annotated by references to relevant congressional acts, case laws, law journal articles, and related state statutes.

Copies of the session laws and supplements are printed and delivered to the Lieutenant Governor for distribution. The Lieutenant Governor determines the price and then distributes and sells the session laws and supplements.

A systematic and continuing study of the laws of Hawaii is also conducted by the Revisor for the purpose of reducing their number and bulk; removing inconsistencies, redundancies, unnecessary repetitions, and otherwise improving their clarity.

Public Access Room. The Public Access Room, established in the State Capitol and maintained by the Bureau, pursuant to section 21G-2, Hawaii Revised Statutes, serves members of the public by providing facilities, services, and equipment to enhance their ability to participate in the legislative process.

Ombudsman

The Office of the Ombudsman accepts and investigates complaints by the public about any action or inaction by any officer or employee of an executive agency of the state or county government. The Ombudsman is appointed to a six-year term by a majority vote of each house of the Legislature in joint session, and may be removed by two-thirds vote of the members in joint session for reasons of neglect of duty, misconduct, or disability. The Ombudsman is an independent, nonpartisan officer of the Legislature. Strictly speaking, the Office does not function directly as a legislative service agency; it is instead a service to the public provided by the Legislature. Being a part of the legislative branch of government, the Ombudsman's power to investigate may be considered an extension of the power of legislative oversight.

The Ombudsman investigates administrative acts which might be:

- (1) Contrary to law;
- (2) Unreasonable, unfair, oppressive, or unnecessarily discriminatory, even though in accordance with law;
- (3) Based on a mistake of fact;

- (4) Based on improper or irrelevant grounds;
- (5) Unaccompanied by an adequate statement of reasons;
- (6) Performed in an inefficient manner; or
- (7) Otherwise erroneous.

The investigations of the Office may also lead to recommendations for appropriate remedies to correct the problems leading to the complaints.

The Ombudsman may, by subpoena, compel the appearance of persons to testify on, and compel the production of documents, papers, or objects relating to the matter under investigation. The Ombudsman is required by law to maintain secrecy in respect to all matters and the identities of complainants or witnesses appearing before the Ombudsman.

Before issuing a statement or recommendation that is critical of any agency or person, the Ombudsman must consult with the agency or person. After an investigation, an opinion and recommendations to the agency are reported if the Ombudsman finds that:

- (1) The matter should be further considered by the agency;
- (2) An administrative act should be modified or canceled;
- (3) A statute or regulation on which an administrative act is based should be altered;
- (4) Reasons should be given for an administrative act; or
- (5) Any other action should be taken by the agency.

The agency may be requested to notify the Ombudsman, within a specified time, of any action taken on recommendations.

After a reasonable time has elapsed after a report of recommendations to the agency, the Ombudsman may submit a report to the Governor, the Legislature, or the public, including any reply made by the agency. The complainant is also notified of the actions taken by the Ombudsman and by the agency.

Central to the classical principle of the Ombudsman institution is that the Office has no actual power to change administrative decisions or actions; instead it must rely on reasoned persuasion on the agencies to resolve justified complaints.

THE EXECUTIVE

The State Constitution, Article V, section 1, vests executive power of the State in the Governor. In the absence or disability of the Governor, the power and duties of the Governor shall devolve upon the Lieutenant Governor.

The Governor and the Lieutenant Governor are elected at large by the voters for concurrent four-year terms and must be of the same political party.

OFFICE OF THE GOVERNOR

The Governor is the Chief Executive of the State of Hawaii and is responsible for the faithful execution of the laws of the State and for the effective performance of the executive branch of state government. The Governor establishes the broad goals of the State and determines the priorities for achieving the goals. The Governor provides community, executive, and political leadership for the people of the State, plans for the development of the State and its resources, and provides for the general well-being of the people. The Governor directs the development of the executive budget and the generation of recommendations for revenue producing measures and programs which are submitted to the Legislature for each fiscal biennium and administers the execution of the legislatively approved budget.

The Governor's authority includes the powers to call the Legislature into special session, to veto legislation passed by the Legislature, to grant reprieves and pardons, and to arrange interstate compacts. The Governor is also the commander-in-chief of the armed forces of the State. Unless otherwise provided by law or the Constitution, the Governor nominates and, with the advice and consent of the Senate, appoints members of boards and commissions and members of the Cabinet and fills vacancies in the House of Representatives and the Senate. From a list of nominees submitted to the Governor by the Judicial Selection Commission, the Governor fills vacancies in the Supreme, Intermediate Appellate, and Circuit Courts. In addition, the Governor, as required by the State Constitution, Article V, section 5, appoints an Administrative Director who functions as the Governor's chief of staff and assists in the supervision of the executive departments and major state initiatives.

The Office of the Governor is comprised of six functional areas. They are: (1) Executive, (2) Administration and Operations, (3), Communications, (4) Legislative Affairs; (5) Policy, and (6) Collective Bargaining.

Executive

This section provides the overall direction and the highest level of authority and decision making.

Administration and Operations

This section is responsible for general administration and support for the office staff and the first family, as well as coordinating volunteerism efforts.

Communications

This area is responsible for overseeing and coordinating external communications.

Legislative Affairs

This area is responsible for coordinating support and monitoring status of legislative issues, and processing and maintaining acts and administrative rules.

Policy

This area is responsible for coordinating, assisting the development, and implementing the policies that are set by the Governor. A significant role includes facilitating cooperative efforts among departments where new or complex issues, tasks, and responsibilities overlap.

Office of Collective Bargaining

The Office of Collective Bargaining, established in the Office of the Governor under section 89A-1, Hawaii Revised Statutes, and headed by the Chief Negotiator, assists the Governor in negotiating with and entering into written contracts between the public employers and public employee union representatives on matters of wages, hours, and other negotiable terms and conditions of employment. The Office also assists the Governor in formulating plans and criteria to measure management's accomplishment of objectives and in formulating management's philosophy and strategy in collective bargaining. It reviews collective bargaining agreements and coordinates the compilation of data required for negotiation.

OFFICE OF THE LIEUTENANT GOVERNOR

The Office of the Lieutenant Governor is established under Article V, section 2, of the State Constitution, and section 26-1, Hawaii Revised Statutes.

The Lieutenant Governor acts as the Governor when the Governor is absent from the State or is unable to exercise and discharge the powers and duties of office. Article V, section 4, of the State Constitution, and section 26-2, Hawaii Revised Statutes, provide for the succession to the office of governor. When both the offices of the Governor and Lieutenant Governor are vacant or when the Office of the Lieutenant Governor is vacant, the order of succession is as follows: the President of the Senate, the Speaker of the House of Representatives, the Attorney General, the Director of Finance, the Comptroller, the Director of Taxation, and the Director of Personnel Services. If the Lieutenant Governor's Office is only temporarily vacant, the President of the Senate and Speaker of the House of Representatives are excluded from the line of succession.

The Lieutenant Governor is responsible for the recordation of all legislative and gubernatorial acts, the administrative rules of state departments and agencies, and the certification of state documents. The Office also provides for the establishment of prices for Session Laws and Supplements to the Hawaii Revised Statutes and the Journals of the Senate and the House of Representatives; and the sale and distribution of the Laws, Statutes and Supplements, and Journals. In addition, the Lieutenant Governor issues the decrees of change of names and performs the duties and functions previously exercised by the Secretary of Hawaii.

The Lieutenant Governor heads special task forces or projects, as delegated by the Governor, and serves as community liaison. Assistance is provided to the departments, the Legislature, and the public when requested. The Office maintains copies of the notices and agenda of public agency meetings for the departments and agencies.

Attached for Administrative Purposes

Boards of Registration

The Boards of Registration are established under section 11-41, Hawaii Revised Statutes. The Boards hear and decide on appeals that arise from a voter challenge within the districts of each Board. There are four Boards of Registration: County of Hawaii (island of Hawaii); City and County of Honolulu (island of Oahu); County of Kauai (islands of Kauai and Niihau); and the County of Maui (islands of Maui, Molokai, Lanai, and Kahoolawe).

The Boards sit in the county seats of their respective counties on election day. The Boards remain convened until all appeals have been heard. The Boards may also convene at the request of the county clerk to hear appeals. Each Board consists of three members appointed by

the Governor with the advice and consent of the Senate. The term of a board member is four years.

Campaign Spending Commission

The Campaign Spending Commission is established under section 11-192, Hawaii Revised Statutes. The Commission supervises campaign contributions and expenditures for all state and local elections to ensure that candidates for public office comply with the provisions of law on election campaign contributions and expenditures. In carrying out its duties, the Commission may hold public hearings on complaints of violations of the law. The Commission may investigate complaints and initiate prosecution of violations. The Commission also administers and monitors the distribution of public funds for those candidates eligible to use such funds from the Hawaii elections campaign fund for election purposes.

The Commission consists of five members appointed by the Governor to four-year terms from a list of ten persons selected by the Judicial Council. The Council may solicit applications for nominees through community organizations and advertisements in the newspaper. The Governor fills vacancies on the Commission from the list of nominees or by reappointment of a commissioner whose term has expired.

Hawaii State Commission on the Status of Women

The Hawaii State Commission on the Status of Women is established under section 367-2, Hawaii Revised Statutes. The Commission consists of thirteen members: six ex officio members including the Superintendent of Education, the President of the University of Hawaii, the Director of Labor and Industrial Relations, the Director of Human Resources Development, the Director of Human Services, and the Director of Health, and seven members appointed by the Governor. An appointed member represents each of the counties of Hawaii, Maui, and Kauai; four appointed members represent Oahu. An Executive Director is appointed by the Commission to administer and enforce its objectives.

The Commission is dedicated to ensuring equality of women and girls in the State of Hawaii by acting as a catalyst for change through advocacy, education, collaboration, and program development. The Commission acts as a consultant, communications liaison, coordinating body, and information resource for both public and private organizations, as well as for the broader community. The agency is a strong advocate, dedicated to promoting and facilitating community leadership, mobilization, and collaboration on the broad scope of issues impacting the status of women in Hawaii.

In pursuit of its objectives, the Commission acts as a clearinghouse and coordinating body for activities and information relating to the status of women; creates public awareness and understanding of the responsibilities, needs, potentials, and contributions of women and their roles in the changing society; recommends legislative and administrative action on equal treatment and opportunities for women; maintains contacts with appropriate federal, state, local,

and international agencies concerned with the status of women; and cooperates and collaborates with national groups on the status of women and the four county committees on the status of women.

Office of Elections

The Office of Elections is established pursuant to Act 27, Special Session Laws of Hawaii 1995, codified as section 11-1.5, Hawaii Revised Statutes, to provide support to the Chief Election Officer, who is the administrator of the Office.

Chief Election Officer. The Chief Election Officer, pursuant to Act 27, Special Session Laws of Hawaii 1995, codified as section 11-1.6, Hawaii Revised Statutes, is appointed by the Elections Appointment Panel in an odd-numbered year to a term of four years. The Chief Election Officer supervises all state elections; is responsible for maximizing registration of eligible electors throughout the State; maintains data concerning registered voters, elections, apportionment, and districting, using this data to assist the Reapportionment Commission; is responsible for public education regarding voter registration and information; and adopts rules governing elections. Pursuant to the State Constitution, Article IV, section 2, the Chief Election Officer is secretary of the Reapportionment Commission and furnishes all necessary technical services to the Commission.

Elections Appointment and Review Panel

The Elections Appointment and Review Panel is established pursuant to Act 27, Special Session Laws of Hawaii 1995, codified as section 11-2.5, Hawaii Revised Statutes. The Panel consists of five members who select and appoint the Chief Election Officer, review the operation of elections, and evaluate the performance of the Chief Election Officer.

One member is selected by the Governor. One member is selected by each of the following: the President of the Senate, the Speaker of the House of Representatives, Minority Leader of the Senate, and Minority Leader of the House of Representatives. The term of each member is six years, and no person may be appointed consecutively to more than two terms. The Chairperson of the Panel shall be selected by a majority vote of the Panel from among its members. No panel member is eligible for appointment as Chief Election Officer so long as the person is a member of the Panel and for a period of one year thereafter.

Office of Information Practices

The Office of Information Practices (OIP), established under section 92F-41, Hawaii Revised Statutes, is placed in the Office of the Lieutenant Governor for administrative purposes.

The Office is headed by a Director who is appointed by the Governor. The Office was created to implement and administer the Uniform Information Practices Act (Modified), chapter

92F, Hawaii Revised Statutes (UIPA). The UIPA is Hawaii's public records law which serves to promote open government while protecting the individual's constitutional right to privacy. All government agencies at the state and county levels are subject to the UIPA. In addition, the OIP has jurisdiction over public agency meetings; certain agency boards and commissions are required by part I of chapter 92, Hawaii Revised Statutes (commonly referred to as the "Sunshine Law"), to hold meetings open to the public.

The OIP provides advice and guidance to the public and to government agencies; acts as an appeals agency on denials of access to government records; adopts rules to implement the UIPA; educates the public and government agencies about the UIPA; develops a uniform public records report describing each set of records every government agency routinely uses or maintains; and investigates allegations of violations of the law. In addition, the OIP mediates any disputes based on inquiries and complaints it has received from the public on compliance with the Sunshine Law. The OIP also assists boards and commissions in complying with the Sunshine Law.

EXECUTIVE DEPARTMENTS

Each executive department is under the supervision of the Governor and headed by a single executive, board, or commission. Generally, the Governor nominates and appoints department heads with the advice and consent of the Senate. Such department heads serve for terms which expire at the end of the term of the Governor who appointed them. Terms of service for boards or commissions which head principal departments are as provided by section 26-34, Hawaii Revised Statutes. The specific details of each executive department, its chief executive, functions, and structure are described in this section.

DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES

The Department of Accounting and General Services (DAGS), established under section 26-6, Hawaii Revised Statutes, is responsible for the State's centralized accounting and auditing system. The Department also provides statewide risk management services to state agencies.

The Department is responsible for records management and the maintenance of central records storage and assists departments and agencies with the preservation and disposal of all records of the State, except the records of the Judiciary. The Department maintains and operates state buildings and public school facilities, maintains state government's central mail and messenger service, maintains the State's data center and intranet and microwave radio systems, controls parking at state buildings, maintains the state motor pool, and has the function of the state surveyor. The Department also directs the planning, design, engineering, and construction of public works projects, has jurisdiction over the World War II Memorial, and administers centralized office leasing services.

The Department is headed by the Comptroller, who is responsible for the planning, direction, and coordination of the activities of the Department and administers the internal affairs of the Department.

Accounting Division

The Accounting Division maintains the official financial records of the State. It is responsible for the State's accounting system, verifies the legality of all expenditures, and controls the payments of approved expenditures. The Division prepares financial reports on the State's financial transactions and maintains control accounts of all departments' funds.

The records of the Division are maintained on a permanent basis and are used for audit, research, and reference. The reports of the Division are issued as required by law to help departments and agencies in controlling and reconciling their legislative appropriations.

Archives Division

The Hawaii State Archives was established in 1905 and is responsible for collecting, appraising, preserving, and making available to the public Hawaiian government records of enduring value. The primary collections consist of government records from the monarchy to the current legislative session, private collections of individuals and organizations, historical photographs, maps, and a library collection specializing in Hawaiian history, culture, and Pacific voyages.

The Records Management Branch provides records advisory services to agencies of the executive and legislative branches, which are subject to section 94-3, Hawaii Revised Statutes. The Branch develops and revises records retention and disposition schedules for the State Comptroller's approval. These records schedules identify the minimum amount of time specific records shall be maintained and their final disposition. The State Records Center stores inactive, non-permanent records in bulk for state agencies for cost efficiency and security. It is not authorized to release any records directly to the public.

Audit Division

To ensure adherence to prescribed policies and procedures of the State's accounting system and generally accepted accounting principles, the Audit Division, by the authority of the Comptroller, investigates and conducts audits of state departments and agencies. The Audit Division also assists departments and agencies with their accounting problems.

Automotive Management Division

The Automotive Management Division has two major functions: parking control and the maintenance of a central motor pool. At state facilities, the Division controls vehicular traffic, makes parking lot assignments, and collects parking fees.

The Division also maintains state-owned motor vehicles in a central motor pool. The Division is responsible for controlling vehicle assignments, ensuring vehicle safety, and establishing policies and regulations to ensure driver safety.

Central Services Division

The Central Services Division is responsible for providing a variety of centralized services to state departments and agencies on a statewide basis. These services include: maintenance and repair of state and public school buildings and facilities; mail and messenger services; custodial services; maintenance of state grounds; and an Energy Management and Conservation Program for assigned state facilities within the Civic Center Complex.

Information and Communication Services Division

The Information and Communication Services Division plans, coordinates, and administers the statewide information processing and telecommunications services and programs, and operates an overall program for improving government efficiency and effectiveness through telecommunications and information processing technologies. It provides statewide voice, data, radio, and video communications and networking.

The Division operates a central information processing center, electronic mail, Web page hosting for state departments, Internet support services, and video conferencing system. It is also responsible for developing and maintaining information systems, and evaluates and implements image processing and electronic commerce technologies.

Land Survey Division

The Land Survey Division performs field and office survey work for state agencies and the Land Court. In addition, the Division is responsible for a variety of services including the preparation and maintenance of maps and descriptions of public lands, the verification of boundaries, maintenance of the depository of survey and boundary information, and checking and processing all Land Court and file plan maps. The Division reviews all shoreline maps statewide; maps are checked on the ground as needed and recommendations made to the Department of Land and Natural Resources. Considerable research is performed for the State Attorney General on quiet title action cases filed in the circuit courts. Registered land surveyors appear as expert witnesses on behalf of the State in land litigation cases.

Public Works Division

The Public Works Division is responsible for a variety of functions which are aimed at helping departments and agencies acquire the facilities and working space they require. For capital improvements projects for which the Department is designated as the expending agency, the Division plans, organizes, directs, and controls the expenditure of funds. It awards design and construction contracts and provides architectural and engineering consultative services to agencies, performs technical planning and design work, inspects construction for adherence to contract documents, and follows up on warranty work. It develops guidelines to be incorporated into DAGS projects, evaluates and recommends new materials and/or products to be used in state facilities, and handles all asbestos related matters.

The Division also provides centralized office leasing services to user agencies which include locating suitable office space, negotiating terms, drafting and execution of agreements, processing recordation of leases, and processing payments to lessors.

Risk Management Section

Chapter 41D, Hawaii Revised Statutes, provides the State Comptroller the authority and responsibility to operate a comprehensive risk management and insurance program for the state government. The Risk Management Office, under the Administrative Services Office, was created to serve this objective.

There are three basic functions of the program: loss reporting, loss control, and risk financing. The Risk Management Office is responsible for the investigation and resolution of property losses, tort claims (\$10,000 and below), and all automobile claims. Statewide property, crime, and liability insurance policies are purchased to protect against catastrophic losses. The Risk Management Office also maintains a claims information management system.

Attached for Administrative Purposes

King Kamehameha Celebration Commission

The King Kamehameha Celebration Commission, established under section 8-5, Hawaii Revised Statutes, is a thirteen-member commission responsible for planning, implementing, and staging statewide events for the annual celebration on or near the June 11 holiday commemorating King Kamehameha I who united the Hawaiian Islands into the Kingdom of Hawaii.

The members of the Commission are appointed by the Governor with the advice and consent of the Senate. The appointments to the Commission are made from the following organizations, with at least one member from each organization: (1) The Royal Order of Kamehameha; (2) Ahahui Kaahumanu; (3) Hale o Na Alii o Hawaii Ahahui po`o; (4) Daughters and Sons of Hawaiian Warriors; (5) Kamehameha Schools Alumni Association; (6) Association of Hawaiian Civic Clubs; (7) Waimanalo Homesteaders' Association; (8) Kapahulu Music Club; and (9) Papakolea Community Association.

In addition, the Governor appoints one member each from the islands of Kauai, Maui, Molokai, and Hawaii.

Stadium Authority

The Stadium Authority, established under section 109-1, Hawaii Revised Statutes, is responsible for the maintenance, operation, and management of Aloha Stadium and its related facilities. The Authority is authorized to prescribe and collect the rents, fees, and charges for the use of stadium facilities, and to make and execute contracts and other instruments necessary for the execution of its powers. Such rules and regulations as are deemed necessary are adopted by the Authority. To administer the affairs of the stadium facilities, the Authority appoints a manager and deputy manager with all the powers and authority necessary for the execution of their duties.

The Stadium Authority consists of nine members appointed by the Governor with the advice and consent of the Senate. Serving as ex officio nonvoting members are the President of the University of Hawaii and the Superintendent of Education. The Chairperson of the Authority is elected by the majority of the Authority. No person may be appointed consecutively to more than two terms on the Authority.

State Foundation on Culture and the Arts

The State Foundation on Culture and the Arts, established under section 9-2, Hawaii Revised Statutes, consists of nine members appointed by the Governor with the advice and consent of the Senate for a term of four years. At least one member must be appointed from each of the counties. The Chairperson is appointed from the membership by the Governor.

The programs of the Foundation are designed to promote, perpetuate, preserve, and encourage culture and the arts, history and the humanities as central to the quality of life of the people of Hawaii. The Foundation supports the activities of individuals and groups interested in the preservation and advancement of the arts, culture, history, and humanities in Hawaii through its grants, history and humanities, folk arts, individual artist fellowships, and arts in education programs. Under the Art in Public Places Program, the Foundation serves as a consultant to the Comptroller in determining the amount of money to be made available and, together with the Comptroller, is responsible for the selection of works, commissioning of artists, reviewing designs, and the execution and placement of works of art. The Foundation also recommends legislative and administrative actions and defines a state role desirable for the promotion, perpetuation, preservation, and encouragement of cultural, artistic, and historical programs.

Finally, the Foundation will administer the operations of the state art museum, scheduled to open in One Capitol District in the fall, 2002.

Procurement Policy Board

The Procurement Policy Board, established under section 103D-201, Hawaii Revised Statutes, consists of a five-member board. The Board reviews and decides on matters of policy within the scope of the Hawaii Public Procurement Code, chapter 103D, Hawaii Revised Statutes, and Purchases of Health and Human Services, chapter 103F, Hawaii Revised Statutes, with the authority to audit and monitor the implementation of its rules and the requirements of the chapters.

Members of the Board are appointed by the Governor with confirmation by the Senate. Members of the Board include the Comptroller, a county employee with procurement experience, a certified procurement professional, an individual with federal procurement experience, and two members with significant experience in the field of health and human services.

State Procurement Office

The State Procurement Office, established under section 103D-204, Hawaii Revised Statutes, is headed by an Administrator who is the Chief Procurement Officer for the governmental bodies of the executive branch other than the University of Hawaii, the Department of Education, and the Division of Community Hospitals within the Department of Health. The Administrator is responsible for assisting, advising, and guiding governmental agencies statewide, including the counties, in matters relating to procurement and for ensuring that these agencies are in compliance with the procurement rules as issued by the Procurement Policy Board.

In order to take advantage of quantity prices, the State Procurement Office competitively contracts for common-use commodities for state departments and agencies. In addition, the Office provides purchasing services to all state agencies for the procurement of specific goods, equipment, or services.

The Office is responsible for the oversight of the purchase of health and human services by state agencies and provides guidance, training, and assistance in matters related to planning, procuring, and contracting for health and human services. Other duties of the Office include the coordination of planning activities for procuring health and human services, maintenance of a contracts database, and procurement of services.

The Office is also responsible for inventory control and surplus property management of all state property. Inventory management attempts to promote optimum utilization of the State's excess property by encouraging the reuse of property, ensuring the accountability for property during the life of the property, and approving the disposal of property determined to be unserviceable. The Federal Surplus Property Management Program is administered by the Office as a federal grant-in-aid program. Under federal rules and guidelines, surplus federal personal property, ranging from office items to equipment such as aircraft vehicles, are inspected, stored, and distributed to eligible agencies.

Community Council on Purchases of Health and Human Services

The Community Council, established under section 103F-202, Hawaii Revised Statutes, consists of no more than nine voting members appointed by the Governor. The Council advises the Administrator of the State Procurement Office in the areas of planning and procuring health and human services, including market or business conditions facing providers, and securing input from providers to facilitate in the process used by state agencies to purchase services.

DEPARTMENT OF AGRICULTURE

Board of Agriculture

The Department of Agriculture, established under section 26-16 and specifically provided for in chapter 141, Hawaii Revised Statutes, is headed by an executive board known as the Board of Agriculture. The Board consists of ten members, one from each of the counties of Hawaii, Maui, and Kauai; four at-large; and the Chairperson of the Board of Land and Natural Resources; the Director of Business, Economic Development and Tourism; and the Dean of the University of Hawaii College of Tropical Agriculture and Human Resources, who serve as ex officio voting members. The Chairperson and members are appointed by the Governor with the advice and consent of the Senate. The Chairperson serves in a full-time position with authority and powers delegated by the Board.

There are a number of technical advisory committees to provide the Board with expertise necessary in its decision making.

Office of the Chairperson

Under the general direction of the Governor and through the Board of Agriculture, the Chairperson plans, directs, and coordinates the various activities of the Department within the scope of laws and established policies and regulations.

The Department promotes the conservation, development, and utilization of agricultural resources in the State. It also assists the farmers of the State and any others engaged in agriculture by dissemination of information, a crop and livestock reporting service, market news service, and any other means of improving the well-being of those engaged in agriculture and increasing the productivity of lands, and administers the programs of the State relating to animal and plant pests and diseases, farm credit, agricultural resources development and promotion of agricultural products and markets, promotion of aquaculture, and the establishment and enforcement of rules on the grading and labeling of agricultural products.

Administrative Services Office

The Administrative Services Office provides various staff functions necessary for the direction and operation of the Department. The Department's personnel program is managed through the development and implementation of personnel policies and procedures. Fiscal management is provided through the development and implementation of sound fiscal policies and procedures, the preparation of accounting and financial reports and allotment requests, internal auditing, purchasing, and review of accounts in accordance with the prescribed state accounting system. The property management function includes the administration of the inventory management program; printing and duplicating services; and mail and messenger services. The Department's motor pool operation provides vehicle assignment, scheduled

maintenance, and repair service. Budget program planning, evaluation, and management services, cost benefit studies, and organizational analyses to determine the effectiveness and efficiency of ongoing as well as proposed programs are performed by the Budget and Management staff. The Computer Services staff manages the Department's computer resources through training, problem resolution, and the planning, development, and integration of information technology systems and procedures.

Agricultural Resource Management Division

The Agricultural Resource Management Division administers and manages the state irrigation systems to ensure an adequate supply of water for agriculture. Activities conducted include: (1) preparing plans and studies required to determine the feasibility of irrigation projects; (2) acquiring water, water sources and other property for irrigation systems, and constructing and improving the facilities required; (3) operating the irrigation systems and controlling the flow of water to maximize the supply and minimize the waste, and to assure an adequately available and equitable distribution, of the water supply; (4) maintaining the irrigation systems including tunnels, ditches, flumes, pipelines, siphons, dams, wells, reservoirs, valves, pumps, roadways, gates, bridges, and other related water facilities; (5) metering, assessing, billing, and collecting water service charges from consumers; (6) initiating and implementing capital improvement projects to improve and maintain existing irrigation system facilities and prepare necessary reports and documentation as required by statutes; and (7) cooperating with and assisting other appropriate agencies with irrigation water systems studies, acquisitions, or other related functions.

This Division also administers the development and management of agricultural park projects; prepares project budgets, rules, and procedures for agricultural parks; coordinates the development and maintenance of agricultural park projects; prepares for the disposition of public lands set aside for agricultural parks by issuing leases and permits and administering the lease conditions; and monitors and reports on the utilization of agricultural park lands.

This Division also manages the use of agriculture-related facilities such as vacuum cooling plants, slaughterhouses, and marshaling and processing facilities and issues leases for such uses.

The Division is charged with reviewing, interpreting, and making recommendations with respect to public policies and actions relating to agricultural water use. Further, it acts to conserve and protect irrigation water systems.

Agricultural Loan Division

The Agricultural Loan Division promotes agricultural and aquacultural development of the State by stimulating, facilitating, and granting loans and providing related financial services to farmers, food manufacturers, and aquaculturalists that meet program qualification requirements.

The Division encourages the development of new farmers and new crops, assists farmers with loans, encourages private lenders to make loans directly or in cooperation with the State, provides relief to farmers in times of emergencies, and assists food manufacturers with loans to stimulate usage of Hawaii-grown agricultural products. In this role, the Division directly supports the Department's mission to develop agriculture in the State.

Animal Industry Division

The Animal Industry Division assists Hawaii's livestock and poultry industries by performing a number of services to encourage their development.

The Division detects, diagnoses, controls, eradicates, and prevents livestock diseases in order to promote the health and economic well-being of livestock industries in Hawaii, and protects the public through control and eradication of animal diseases which are transmissible to humans.

The Division provides laboratory services and diagnostic support and conducts disease surveillance projects involving poultry, swine, and dairy industries.

The Division prevents the introduction of rabies through quarantine and conducts inspection of animals entering the State to ensure compliance with importation laws.

Agricultural Development Division

The Agricultural Development Division serves both consumers and agricultural producers in the State. It tries to promote a balance between what consumers want and what producers have.

The Division provides services to improve the efficiency of production and marketing of agricultural products. It collects and publishes agricultural statistical data on estimated and actual acreage planted, acreage for harvest, the value of crops, the movement of stock, and the marketing, processing, and utilization of crops, livestock, and other agricultural products. It conducts economic analyses to address marketing and transportation problems in agriculture.

The Division also assists producers, processors, and manufacturers in promoting their agricultural products in the local, national, and international markets, and in developing those markets.

Quality Assurance Division

The Quality Assurance Division is responsible for programs to improve the market quality of agricultural, horticultural, and processed commodities and to assure fair trade, honesty, and equity in the marketplace.

The Division administers programs which provide for the inspection and grading of fresh and processed foods, the enforcement of labeling requirements, the testing of feed for nutrient guarantee and adulteration, the certification of farms that use good agricultural practices, the promotion of fair trade and honesty in the marketing of agricultural products, and the prevention of agricultural theft. A laboratory conducts chemical analyses of feed adulteration, pesticide formulations, and residues in environmental samples.

The Division is responsible for maintaining stability in the dairy industry and for ensuring an adequate supply of milk for consumers by adjusting prices and production quotas for producers, and for licensing producers and distributors.

The Division is also responsible for assuring equitable transactions relating to weighing and measuring devices, package labeling, and petroleum products. It assures that state standards conform to federal standards for weights and measures, and determines length, volume, and mass standards through comparison with the National Institute of Standards and Technology. The Division periodically tests all commercial weighing and measuring devices in the State, which include gasoline pumps, taximeters, and scales. In addition, the Division administers programs for assuring the accuracy of labeling and net fill of packaged consumer commodities, verifies claims of Hawaii geographic origin or manufacture, and verifies that posted prices are actually charged by computer-assisted checkout systems.

Plant Industry Division

The programs of the Plant Industry Division are designed to protect agricultural industries and natural resources.

The Division protects Hawaii's agricultural industries and natural resources against the entry and spread of harmful insects and diseases, and provides Hawaii's export industries with inspection services designed to facilitate the export and interisland movement of certain plant materials.

The Division promotes and ensures the safe and discriminate use of pesticides to minimize adverse effects on the environment and enables agricultural industries to continue the use of pesticides.

The Division protects Hawaii's agricultural enterprises and natural resources by an integrated biological and chemical/mechanical control of insects, weeds, diseases, and snail pests which are currently established or which may enter the State and cause economic losses. It protects the State against the introduction of noxious weeds, and farmers and growers from the sale of low-quality seeds.

DEPARTMENT OF THE ATTORNEY GENERAL

The Department of the Attorney General, established under section 26-7, Hawaii Revised Statutes, is headed by the Attorney General. The Department administers and renders state legal services, including furnishing written legal opinions to the Governor, the Legislature, and such state departments and officers as the Governor may direct; represents the State in all civil actions in which the State is a party; approves as to legality and form all documents relating to the acquisition of any land or interest in lands by the State; and, unless otherwise provided by law, prosecutes cases involving violations of state laws and cases involving agreements, uniform laws, or other matters which are enforceable in the courts of the State.

Crime Prevention and Justice Assistance Division

The Crime Prevention and Justice Assistance Division (CPJAD) coordinates crime prevention research projects and uniform crime statistic reports, administers federal and state grants relating to the improvement of criminal justice systems, coordinates crime prevention training activities, and develops and maintains the juvenile justice information system.

Investigation Division

The Investigation Division is responsible for providing investigative services in three general categories: criminal, civil, and administrative.

Legal Services Divisions

The various Legal Services Divisions are responsible for providing legal services to the Governor, executive departments and agencies, the Legislature, and the Judiciary, and for enforcing laws. The Divisions are organized according to the program areas which they serve and include the tort litigation, tax, labor, land/transportation, administration, civil recoveries, commerce and economic development/antitrust, special assignments, employment law, criminal justice, Medicaid fraud, health and human services, family law, education, public safety, Hawaiian homelands, and housing divisions.

The Divisions' services include furnishing written legal opinions, representing the State in all court and administrative agency actions, approving the legality and form of all contracts and documents relating to the acquisition of land or any interest in lands by the State, and prosecuting cases involving violations of state laws, agreements, and uniform laws. They also draft bills and resolutions for the Governor, legislators, and the executive departments and agencies.

Hawaii Criminal Justice Data Center

The Hawaii Criminal Justice Data Center is responsible for the statewide criminal history record information system, the statewide automated fingerprint identification system, and the issuance of the Hawaii State identification cards.

Child Support Enforcement Agency

The Child Support Enforcement Agency is responsible for administering the child support enforcement program, which involves establishing, collecting, and enforcing child support payments owed to children by their absent parents. In this connection, the Agency, through attorneys in the Department of the Attorney General or the various county corporation counsel or county attorney offices, files or appears in actions to establish paternity for children born out of wedlock; obtains, enforces, or modifies an order of support on behalf of any dependent or other person for whom the Agency has a duty to obtain or enforce an order of support; locates absent parents; and intercepts tax refunds of parents who are delinquent in making their child support payments.

Office of Child Support Hearings

The Office of Child Support Hearings is responsible for establishing, modifying, suspending, terminating, and enforcing child support obligations, and providing a fair administrative hearing for child support disputes pursuant to chapters 91 and 576E, Hawaii Revised Statutes.

Commission to Promote Uniform Legislation

The five-member Commission to Promote Uniform Legislation, established under section 3-1, Hawaii Revised Statutes, acts in an advisory capacity to the Attorney General and to the Legislature on matters relating to the promotion of uniform legislation. Commissioners are appointed in the same manner as other members of boards and commissions although, under section 26-7, Hawaii Revised Statutes, the two-term, eight-year limit does not apply to the members of the Commission.

The Commission works with the National Conference of Commissioners on Uniform State Laws to promote uniformity of state laws in areas in which uniformity is practicable and desirable. The adoption of the uniform acts prepared by the National Conference by the states is voluntary, and acts that would be advantageous to the State are promoted by the Commission to Promote Uniform Legislation for passage by the Legislature.

DEPARTMENT OF BUDGET AND FINANCE

The Department of Budget and Finance, established under section 26-8, Hawaii Revised Statutes, is headed by the Director of Finance. The Department administers the development of the State's short-, intermediate-, and long-range financial plans, administers the state budget, and provides programs for the improvement of management and financial management of state agencies. It coordinates all budget services, supervises the implementation of the fiscal policies established by the Governor or mandated by the Legislature, prepares the Governor's budget for submission to the Legislature, and has custody of all state funds.

Budget, Program Planning and Management Division

The Budget, Program Planning and Management Division's primary function is to optimize the expenditure of all public funds. It does this by assisting state agencies to improve the operational effectiveness of their programs and the effectiveness of agency budgeting, and by issuing guidelines and instructions regarding appropriate statewide implementation of statutory and constitutional budget provisions.

The Division conducts studies and evaluations of the effectiveness of state programs. It also develops and implements a program evaluation system and coordinates the planning and program analysis projects of the State's agencies. The Division analyzes and assists the administration in improving management systems, policies, and procedures; develops a format and procedures for a statewide program structure; and reviews requests for reorganization. The Division also develops staffing and performance standards and methods to improve the utilization of space, time, and personnel. Additionally, the Division administers the State's capital improvements program, together with the Public Works Division of the Department of Accounting and General Services.

The Division also develops and implements resource allocation policies of state government and makes long-range budget and resource allocation. The Division reviews long- and short-range program plans, and prepares the executive budget that is submitted to the Legislature. The Division also supervises and controls all budget appropriations authorized by the Legislature, and provides program revenue and expenditure data and analysis to appropriate divisions of the Department. In addition, the Division prepares and updates the State's general fund financial plan, and provides staff support to the Council on Revenues, primarily regarding non-tax and special fund tax revenue projections. The Division also provides fiscal and budgetary staff support on matters involving collective bargaining negotiations and the analysis of collective bargaining proposals and contracts.

Financial Administration Division

As custodian of the public funds and securities, the Financial Administration Division (FAD) manages the State Treasury, where receipts, investments, disbursements, and transfers of funds are conducted. FAD monitors the State's investments and cash flow requirements and develops investment strategies accordingly.

Through the issuance and control of state bonds, FAD manages the public debt. Other agencies are also assisted with their bond sale requirements. All tasks related to the issuance of bonds are conducted by FAD, which include preparing and reviewing all bond documents and official statements, monitoring bond yields and market conditions, coordinating pricing and document preparation between all involved parties, ensuring conformance with laws and regulations, and monitoring repayments.

Included in FAD's responsibilities is the Unclaimed Property Program. The Program receives, holds in custody, and returns to its owners properties deemed to be abandoned.

Attached for Administrative Purposes

Employees' Retirement System

The Employees' Retirement System of the State of Hawaii, established under section 88-22, Hawaii Revised Statutes, provides retirement allowances and other benefits for officers and employees of the State and counties. The general administration and operation of the System is the responsibility of the eight-member Board of Trustees for the Employees' Retirement System. The Board of Trustees is composed of the Director of Finance as an ex officio member and four members of the System, two of whom are general employees, one teacher, and one retirant elected by the members of the System for six years. The remaining three trustees are citizens of the State, not public employees, one of whom is a responsible officer of a bank authorized to do business in the State, or a person of similar experience, appointed by the Governor, with the advice and consent of the Senate, for six-year terms.

Under the direction of the Board, the Retirement System plans and directs the retirement benefits programs for state and county employees. It enrolls members in the appropriate retirement plan, provides pre-retirement counseling services, and processes claims for retirement, death, and disability benefits. In addition, the personnel of the Retirement System account for and safeguard the System's assets.

Public Employees Health Fund

The Hawaii Public Employees Health Fund, established under section 87-2, Hawaii Revised Statutes, provides health, group life, and long-term care insurance benefits for eligible, active, and retired state and county employees and their dependents.

The Fund also administers the State of Hawaii's Premium Conversion Plan and assists qualified beneficiaries to obtain federal COBRA health insurance benefits.

The Health Fund's Board of Trustees, established under section 87-11, Hawaii Revised Statutes, consists of nine members: three members representing different public employee organizations, three members representing different private business organizations, a member of the clergy, a teacher, and the Director of Finance. Trustees are appointed by the Governor and serve a term of four years.

Public Utilities Commission

The Public Utilities Commission, established under section 269-2, Hawaii Revised Statutes, has general supervision over all public utilities. It has investigative powers which allow it to examine the condition of each public utility; the manner in which it is operated, especially the operations which relate to the safety or accommodation of the public; and the safety, hours, and wages of its employees. The Commission may also investigate the rates and fares charged by utilities, the value of utilities' physical property, all financial transactions, and all other matters relating to public utilities that affect the public.

The Public Utilities Commission is a three-member commission appointed by the Governor subject to the advice and consent of the Senate. Members of the Commission are appointed for six years or until a successor is appointed but for not more than twelve consecutive years. No person owning any interest in any public utility corporation or having any income from a public utility may be appointed to the Commission. The Chairperson of the Commission is designated by the Governor.

Office of the State Public Defender

The Office of the State Public Defender is established under section 802-8, Hawaii Revised Statutes.

Any indigent person arrested for, charged with, or convicted of an offense punishable by imprisonment, or threatened with involuntary confinement in a mental institution, is entitled to representation by a public defender from the Office of the State Public Defender. In addition, representation is provided children who may come within the purview of chapter 571, Hawaii Revised Statutes, relating to Family Courts.

The State Public Defender is appointed by the Defender Council for a term of four years, and until a successor is appointed and qualified. During the term of office, the Public Defender devotes full time to duties of the Office and is not permitted to engage in the general practice of law.

Defender Council. The Defender Council is the governing body of the Office of the State Public Defender, pursuant to section 802-9, Hawaii Revised Statutes. The five-member

Council is appointed by the Governor. The membership of the Council includes at least one member from each of the counties and is chaired by the person selected by its members.

Hawaii Employer-Union Health Benefits Trust Fund

The Hawaii Employer-Union Health Benefits Trust Fund was established pursuant to Act 88, Session Laws of Hawaii 2001. Under this provision, the Governor appoints a ten-member board of trustees to oversee a new trust fund created to design new health benefit plans for public employees and retirees. Five trustees represent the public employers, and five trustees, one of whom represents retirees, represent employee-beneficiaries.

The Hawaii Employer-Union Health Benefits Trust Fund is mandated to design and to approve health benefit plans for active and retired public employees that will take effect on July 1, 2003.

DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT AND TOURISM

The Department of Business, Economic Development and Tourism, established under section 26-18 and specifically provided for under chapter 201, Hawaii Revised Statutes, works to support business, create jobs, and improve Hawaii's standard of living through diversifying the economy, expanding existing business, and attracting new economic activity. Headed by the Director of Business, Economic Development and Tourism, the Department pursues this task through an active program of business support and development, investment attraction, business and trade missions, tourism marketing and support of diversification initiatives, permit and licensing facilitation, statistical and economic research, and provision of core information to business and the community at large.

Business Development and Marketing Division

The Business Development and Marketing Division promotes industry development and economic diversification in Hawaii by opening new markets for Hawaii's businesses, attracting new job-creating investments to Hawaii, increasing the export of Hawaii products and services, and improving Hawaii's business image. Industries that have been targeted in marketing and business development initiatives include medical/healthcare services, education and training, technology, infrastructure development services (master planning, architectural/engineering/environmental services, etc.), and Hawaii products.

Business Support Division

The Business Support Division promotes the formation and growth of small businesses through a wide range of programs directly helping new and existing enterprises. Programs include management, technical, and informational assistance, plus one-stop expediting of licenses and permits. A major activity is financial assistance through several loan and grant programs, and working with the private sector to develop new sources of venture capital. The Division administers state and local government activities partially funded by federal economic development programs, and administers statutes creating community-based development projects and enterprise zones. The Division helps small businesses expand their share of government orders for goods and services.

The Division also serves as an advocate of business by reviewing government rules, regulations, and practices to guard against unduly burdening the business sector. The Business Support Division encourages out-of-state film producers to use Hawaii as a production site and facilitates their work when they are here. In addition to generating local expenditures when feature films, television series, and commercials are being produced in Hawaii, this nonpolluting industry advertises the appeal of Hawaii to the world.

Foreign-Trade Zone Division

The Foreign-Trade Zone Division administers the statewide foreign-trade zone (FTZ) program authorized by the federal government. It manages zones and subzones in different locations, giving Hawaii-based companies greater access to international trade--and international products and components--at substantial savings. Use of the zone is encouraged for manufacturing and merchandise storage and processing. The Division reviews plans with Hawaii enterprises to help identify possible FTZ benefits. These activities increase the State's employment and revenue potentials.

Energy, Resources, and Technology Division

The Energy, Resources, and Technology Division is responsible for the State's energy planning and policy, including statewide fuel enterprises. In addition to coordinating strategic planning for energy and resource development, it manages the State's programs on energy conservation, alternate energy development, and emergency energy preparedness. It operates or administers most of the federal and state energy conservation and energy efficiency programs in Hawaii, develops business and export opportunities for Hawaii energy and environmental companies, and recommends state positions on federal energy legislation and policy.

The stability and growth of ocean-related industries is promoted with a variety of service programs and development projects by this Division. Key areas of responsibility are the development of ocean-based science and technology enterprises, seafood marketing to domestic and international buyers, and creation and oversight of a state ocean resources management plan.

The Energy Division is responsible for the State's energy planning and policy, including statewide fuel enterprises. In addition to coordinating strategic planning for energy and resource development, it manages the State's programs on energy conservation, alternate energy development, and emergency energy preparedness. It operates or administers most of the federal and state energy conservation and energy efficiency programs in Hawaii, develops and operates public education programs, and recommends state positions on federal energy legislation and policy.

Research and Economic Analysis Division

The Research and Economic Analysis Division is the State's official source of economic data and analyses as an aid to decision-making and planning. The Division forecasts and measures the impacts of economic activity in Hawaii to help the State plan and adjust to changing conditions. In addition to preparing the State of Hawaii Data Book, quarterly economic forecasts, and compiling daily and monthly visitor statistics, the Division publishes a number of statistical abstracts, reports, and newsletters. The data and reports are posted on DBEDT's website. It monitors economic trends and maintains an economic and business statistical database. It serves public and private sectors alike. The Division helps in business

development and attraction projects, operates the Hawaii State Data Center, and assists the Bureau of Census.

Administrative Services Office

The Administrative Services Office manages DBEDT's financial accounts, budget, contracts, personnel, property, risk management program, and other administrative matters.

The Fiscal Staff is responsible for budget preparation, department-wide purchasing, maintenance of accounts, physical inventory record-keeping, and other related services. The Contracts Staff offers technical assistance in the development and administration of the Department's contracts. The Personnel Staff supports the Department in the areas of classification, recruitment, pay administration, employee benefits, training, and labor relations.

Communications and Publications Office

The Communications and Publications Office informs both public and private sectors about Hawaii's business development activities, objectives, and opportunities. This is done by disseminating information and developing reports and other publications.

Agencies Attached for Administrative Purposes

Hawaii Tourism Authority

The Hawaii Tourism Authority (HTA), established under section 201B-2, Hawaii Revised Statutes, is the state government's lead agency for strengthening Hawaii's vital visitor industry. The Authority formulates policy, conducts research, and coordinates development and implementation of the Tourism Strategic Plan. It coordinates with the Hawaii Visitors and Convention Bureau the worldwide marketing of Hawaii as a visitor destination. HTA was created as the lead state government agency for tourism in 1998.

Aloha Tower Development Corporation

The Aloha Tower Development Corporation, established under section 206J-4, Hawaii Revised Statutes, is responsible for redeveloping a certain area of the Honolulu waterfront including the landmark Aloha Tower complex. The purpose is to enhance trade activity, beautify the waterfront, stimulate downtown commercial activities, and expand public access and usage.

The Corporation is headed by a board of directors with seven voting members. The Governor appoints three public members to the Board. The Director of Business, Economic Development and Tourism, the Director of Transportation, the Chairperson of the Board of Land

and Natural Resources, and the Mayor of the City and County of Honolulu serve as ex officio voting members.

Hawaii Community Development Authority

The Hawaii Community Development Authority, established under section 206E-3, Hawaii Revised Statutes, in cooperation with private enterprise and various federal, state, and county agencies, carries out community development programs for the improvement of specific areas of the State as designated by the Legislature. The first area so designated is the Kakaako Community Development District in Honolulu, established under section 206E-32, Hawaii Revised Statutes, and currently under commercial and residential redevelopment. The Hamakua Community Development District, on the island of Hawaii, was added under section 206E-171, Hawaii Revised Statutes. The Kalaeloa Community Development District, to redevelop Barbers Point Naval Air Station, was established by Senate Bill No. 2702, C.D. 1, passed by the Legislature on April 30, 2002.

The Authority consists of eleven voting members: the Director of Finance, the Director of Business, Economic Development and Tourism, the Comptroller, and the Director of Transportation serve as ex officio voting members, and seven members are appointed by the Governor for staggered terms. The Authority annually elects the Chairperson and Vice Chairperson from among its members.

Hawaii Strategic Development Corporation

The Hawaii Strategic Development Corporation (HSDC), established under section 211F-2, Hawaii Revised Statutes, develops investment programs that stimulate economic growth, employment, and economic diversification. Special emphasis has been given to investment opportunities that advance the development of technological innovation. The Corporation leverages funds by arranging the participation of private funding sources or other government programs. In addition to making direct and indirect investments, the Corporation may provide businesses with insurance, guarantees, or letters of credit.

In parallel efforts with the investment activities, HSDC is also responsible for coordinating outreach and infrastructure development programs for small businesses and start-ups with significant high growth potential. This includes programs regarding: (1) entrepreneurial development and mentoring; (2) technology transfer and commercialization; (3) pre-venture funding; (4) research regarding venture capital demand and deal-flow; and (5) marketing awareness and investment attraction.

The governing body is an eleven-member board of directors, eight of them from the public and appointed by the Governor to staggered terms. The Director of Business, Economic Development and Tourism serves as ex officio voting member. The final two members are representatives of the Natural Energy Laboratory of Hawaii Authority and the Hawaii Strategic Development Corporation Boards of Directors.

Hawaii Television and Film Development Board

The Hawaii Television and Film Development Board, established under section 201-112, Hawaii Revised Statutes, administers grant and venture capital investment programs for qualified entertainment projects and the Hawaii television and film development special fund. The Board also assesses and considers the overall viability and development of the television and film industries and makes recommendations to appropriate state or county agencies.

The Board is composed of nine members: four are appointed by the Governor for four-year staggered terms; one of the Governor's appointments is from a list of nominees submitted by the President of the Senate, and another is from a list of nominees submitted by the Speaker of the House. The four appointed members must possess a current working knowledge of the film, television, or entertainment industry. The Director of Business, Economic Development and Tourism and the chairs of the four county film commissions serve as ex officio voting members.

High Technology Development Corporation

The High Technology Development Corporation, established under section 206M-2, Hawaii Revised Statutes, is responsible for commercial high-technology growth and development in Hawaii, a charter that includes virtually all technology-based economic development activities in the State. Its projects, which facilitate the development of high-tech companies from early start-up to full commercial production, include the Manoa Innovation Center, the Maui Research and Technology Center, the Hawaii Small Business Innovation Research Program, the Hawaii Electric Vehicle Demonstration Program, Tech Jobs Hawaii and the statewide technology website, www.hitechhawaii.com.

The governing body of the Corporation consists of a board of directors having eleven voting members. Six of the members are appointed by the Governor from the general public. The Governor also appoints a member from the faculty of the University of Hawaii. The Director of Business, Economic Development and Tourism, and the Director of Finance serve as ex officio voting members of the Board. The final two members are representatives of the Natural Energy Laboratory of Hawaii Authority and the Hawaii Strategic Development Corporation Boards of Directors.

Housing and Community Development Corporation of Hawaii

The Housing and Community Development Corporation of Hawaii, established under section 201G-2, Hawaii Revised Statutes, is the state government's lead agency in providing Hawaii's residents with affordable housing and shelter opportunities in a balanced and supportive environment. There is created a board consisting of nine members, of whom six shall be public members appointed by the governor. Public members shall be appointed from each of the counties of Honolulu, Hawaii, Maui, and Kauai. One public member shall be the chairperson of the Rental Housing Trust Fund Advisory Commission. At least one public member shall be a person who is directly assisted by the corporation while serving on the board. The Director of

Business, Economic Development, and Tourism and the Director of Human Services, or their designated representatives, and a representative of the governor's office, shall be ex officio voting members.

Land Use Commission

The Land Use Commission, established under section 205-1, Hawaii Revised Statutes, implements the state land use law and the designation of areas into one of four major land use districts: urban, rural, agricultural, and conservation. It establishes boundaries for districting of all lands and serves as a quasi-judicial body in administering the land use law.

It consists of nine members appointed by the Governor: one from each of the state's four counties and five at-large members. The Commission annually elects the Chairperson from among its members.

Natural Energy Laboratory of Hawaii Authority

The Natural Energy Laboratory of Hawaii Authority, established under section 227D-2, Hawaii Revised Statutes, manages and operates a research facility and an industrial park devoted to ocean sciences and technology, both at Keahole Point on the island of Hawaii. The research facility houses projects performing research, development, demonstration, and commercialization of natural energy and related resources. The industrial park provides site and infrastructure for aquaculture and other ocean-related commercial ventures.

The governing body of the Authority consists of eleven voting members: the Director of Business, Economic Development and Tourism, the Chairperson of the Board of Land and Natural Resources, the President of the University of Hawaii, and the Mayor of the County of Hawaii, serving as ex officio voting members; three members from the general public, one of whom is a resident of Hawaii County, appointed by the Governor for staggered terms; the Chairperson and Secretary of the Research Advisory Committee, and one representative each from the boards of the High Technology Development Corporation and the Hawaii Strategic Development Corporation.

Office of Planning

The Office of Planning, established under section 225M-2, Hawaii Revised Statutes, assists the Governor and the Director of Business, Economic Development and Tourism in maintaining an overall framework to guide the development of the State through a continuous process of comprehensive, long-range, and strategic planning to meet the physical, economic, and social needs of Hawaii's people, and provide for the wise use of Hawaii's resources in a coordinated, efficient, and economical manner, including the conservation of those natural, environmental, recreational, scenic, historic, and other limited and irreplaceable resources which are required for future generations.

The head of the office is the Director of the Office of Planning who is appointed by the Governor. The Director must have training in the field of urban or regional planning, public administration, or other related fields; experience in programs or services related to governmental planning; and experience in a supervisory, consultative, or administrative capacity.

Small Business Regulatory Review Board

The Small Business Regulatory Review Board, established under Act 168, Session Laws of Hawaii 1998, as amended by House Bill No. 2449, S.D. 2, passed by the Legislature on April 30, 2002, considers any request from small business owners for review of any rule adopted by a state agency and makes recommendations to the agency or the Legislature regarding the need for a rule change or legislation. For requests regarding county ordinances, the Board may make recommendations to the county council or the mayor for appropriate action. The Board consists of eleven members appointed by the Governor. The appointments reflect representation of a variety of businesses in the State; provided that no more than two members are representatives from the same type of business, and there are at least two representatives from each county.

DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS

The programs administered by the Department of Commerce and Consumer Affairs, established under section 26-9, Hawaii Revised Statutes, are primarily for the protection of the general public. Headed by the Director of Commerce and Consumer Affairs, the Department develops standards for the licensing and supervision of financial institutions, professions, businesses, and trades.

Office of Administrative Hearings

The Office of Administrative Hearings is responsible for conducting hearings and issuing recommended orders for cases originating from all divisions within the Department of Commerce and Consumer Affairs, including the professional and vocational licensing boards and commissions. The kinds of cases heard by the Office of Administrative Hearings include: (1) disciplinary proceedings against licensees of the various boards and commissions, (2) contested case hearings to have determinations made by the various divisions formally reviewed via the contested case procedures, (3) declaratory rulings regarding the applicability of rules and/or statutes to particular situations or circumstances, (4) denials of personal injury protection benefits, and (5) procurement code hearings for all state and county agencies.

Office of the Director

This Office provides administrative support services to the Department. Included among the support services provided by this Office are fiscal record keeping, budget preparation and administration, organizational review, management of personnel resources, data processing systems analyses, and the processing of mail.

Information Systems and Communications Office

The **Information Systems Section** assists the divisions of DCCA in finding, acquiring, implementing, and maintaining information technology that improves the divisions' operations and allows them to provide better service to commerce and consumers.

The **Communications Section** provides speakers and educational information on consumer rights and issues to schools, community groups, senior citizen clubs, the military, and other government agencies.

The **Consumer Dial Program** is an audio-response, fax-on-demand, computer-driven system that contains prerecorded consumer alerts, messages, and general business registration forms.

Office of Consumer Protection

The Office of Consumer Protection, established under section 487-2, Hawaii Revised Statutes, is responsible for protecting the interests of the consumer public in the State. The Office protects these interests by investigating alleged violations of state consumer protection laws, taking appropriate legal action to stop unfair or deceptive practices in the marketplace, and promoting consumer education and awareness.

Business Registration Division

The Business Registration Division fulfils two primary functions. Its ministerial duties include the processing and maintaining for public access registrations of corporations, general and limited partnerships, limited liability partnerships, limited liability companies, trade names, trademarks, and service marks. Its regulatory function includes substantive regulatory oversight of the securities industry in the State of Hawaii in the following areas: (1) licensing and registration of broker-dealers, securities salespersons, investment advisors, investment advisor representatives, securities, and franchises offered for sale in the State; (2) examination of the books and records of broker-dealers, securities salespersons, investment advisors, and investment advisor representatives; (3) examination of securities and franchises offered for sale in the State; and (4) the enforcement of the Uniform Securities Act.

Cable Television Division

The regulatory powers vested in the Director of Commerce and Consumer Affairs over cable television (CATV) companies, under section 440G-4, Hawaii Revised Statutes, are administered by the Cable Television Division. As authorized by the Director, the Division, after proper application, payment of fees, public hearing, and other procedures prescribed by law, issues franchises to qualified applicants for the construction, operation, or expansion of cable television systems. It receives complaints regarding the operation of a cable television system, and revokes, suspends, amends, transfers, or renews franchises on grounds prescribed by law. The Division, as the certified local franchising authority, reviews and sets the programming rate for the basic service tier, associated equipment, and installation charges.

Division of Consumer Advocacy

The Division of Consumer Advocacy provides administrative support to the Director of Commerce and Consumer Affairs who has been designated the "Consumer Advocate" pursuant to section 269-51, Hawaii Revised Statutes. The Consumer Advocate is charged with the responsibility of representing, protecting, defending, and advancing the interests of consumers of utility and transportation services on a statewide basis. These lifeline services include electricity, gas, telecommunications, property carriage over land and water, private water, and wastewater. In order to carry out this mandate, the Division plans, organizes, directs, and coordinates the

observance of laws regulating the conduct and management of all franchised or certified public service companies operating in the State. The Division performs economic, financial, and engineering analyses of applications filed by public utilities and transportation companies which serve Hawaii and whose regulation falls within the jurisdiction of the Public Utilities Commission, and federal regulatory agencies such as the Federal Communications Commission and the Federal Maritime Commission.

Division of Financial Institutions

The Division of Financial Institutions administers and enforces state laws governing the licensure, examination, and supervision of state-chartered financial institutions, including banks, savings and loan associations, financial services loan companies, trust companies, credit unions, and foreign banks. The Division also supervises escrow depositories.

The Division is headed by the Commissioner of Financial Institutions who is appointed, pursuant to section 412:2-100, Hawaii Revised Statutes, by the Director of Commerce and Consumer Affairs, subject to approval by the Governor.

Credit Union Advisory Board. The Credit Union Advisory Board, established under section 412:10-125, Hawaii Revised Statutes, advises the Commissioner of Financial Institutions regarding the condition and affairs of state-chartered credit unions, and proposed laws and rules relating to credit unions.

The Credit Union Advisory Board consists of five members appointed by the Governor with the advice and consent of the Senate, with at least one member from each of the counties. All members must be persons of proven credit union experience and members of credit unions operating under chapter 412, Hawaii Revised Statutes.

Insurance Division

The Insurance Division is responsible for overseeing the insurance industry in the State of Hawaii, which includes insurance companies, insurance agents, self-insurers, and captives. The Division ensures that consumers are provided with insurance services meeting acceptable standards of quality, equity, and dependability at fair rates by establishing and enforcing appropriate service standards. The administration of chapters 431, 431K, 431M, 432, 432D, 432E, 435C, and 435E, Hawaii Revised Statutes, which provide for the licensing, supervision, and regulation of all insurance transactions in the State, and the administration of chapter 488, Hawaii Revised Statutes, Prepaid Legal Services, fall within division duties.

The Insurance Division is organized, under the direction of the Insurance Commissioner and assisted by the Chief Deputy Insurance Commissioner, into seven branches:

- Financial Surveillance and Examination Branch

- Compliance and Enforcement Branch
- Licensing Branch
- Rate and Policy Analysis Branch
- Captive Insurance Branch
- Insurance Fraud Investigations Unit
- Health Insurance Branch

The functions of the Division are supported by an Office Services section, several staff positions, the Joint Underwriting Plan Bureau, and the Joint Underwriting Plan Board of Governors. The seven branches closely interact with each other in attaining the common goal of safeguarding the public interest by monitoring insurance company activities to ensure that acceptable standards are maintained and by fairly administering the Insurance Code.

Financial Surveillance and Examination Branch. The Surveillance and Examination (FSE) Branch reviews all filings from companies applying for Certificates of Authority to transact the business of insurance, and audits domestic annual financial statements and premium tax statements. In addition, the staff conducts a continuing program of insurance company, agency, mutual and fraternal benefit societies, and health maintenance organization financial and/or market conduct examinations to assure compliance with insurance laws and financial solvency in an effort to safeguard consumer interests and maintain professionalism in the industry.

Compliance and Enforcement Branch. When a complaint is filed with the Insurance Division, the Compliance and Enforcement Branch conducts an investigation to assure compliance with the applicable statutes and rules. Appropriate disciplinary actions are taken by the Compliance and Enforcement Branch when necessary. If it is determined that a case warrants prosecution, it is referred to the Office of the Attorney General for prosecution by the State.

Licensing Branch. The Licensing Branch oversees the examination process and issues licenses to qualified applicants for solicitor, general agent, subagent, non-resident, and adjuster licenses; and maintains records of the licensees. The Licensing Branch also provides support services to the Financial Surveillance and Examination Branch in issuing and amending Certificates of Authority and the maintenance of these records. The Licensing Branch is responsible for renewal notifications, processing of remittance checks, and confirmation and cancellation of these insurance licenses.

Rate and Policy Analysis Branch. The Rate and Policy Analysis Branch (RPA) devises and implements systems and procedures for the analysis of rate and policy filings by domestic, foreign, and alien insurance companies in order to assure compliance with state insurance laws. The RPA Branch reviews and approves rates used by companies in the sale of their policies to ensure that mandated coverages are provided and that the interests of the buyers are protected.

Motor Vehicle Insurance Fraud Investigations Branch. The Motor Vehicle Insurance Fraud Investigations Branch was formed to conduct a statewide program for the prevention, investigation, and prosecution of insurance fraud cases and violations of all applicable state laws relating to insurance fraud.

Health Insurance Branch. The Health Insurance Branch is responsible for regulating health insurers, including health maintenance organizations and mutual benefit societies. The Branch's primary responsibilities are to: receive inquiries and complaints pertaining to health insurance, including long-term care insurance; receive requests from consumers for external reviews of a health plan's decisions under the Hawaii Patient Bill of Rights and Responsibilities Act, and administer the external review process. The Branch also provides administrative and technical support to the Patient Rights and Responsibilities Task Force, the Mental Health Task Force, and the Medical Privacy Task Force.

Captive Insurance Branch. The Captive Insurance Branch (CI) provides for dedicated resources to facilitate the monitoring, regulation, and prudent development of the captive insurance industry in the State of Hawaii.

The CI Branch reviews and evaluates each prospective captive application on a case-by-case basis to ensure appropriate economic and social responsibility of each program structure and its related constituencies, as well as compliance with applicable state laws and regulations. On an ongoing basis, the CI Branch utilizes interim and annual reports and filings and on-site examinations to monitor compliance with the approved applications and business plans.

Regulated Industries Complaints Office

Enforcing the laws and regulations which apply to licenses issued through the Department of Commerce and Consumer Affairs is the responsibility of the Regulated Industries Complaints Office (RICO). Mediating and resolving consumer complaints, prosecuting disciplinary actions against licensees, and pursuing Circuit Court injunctions and fines against unlicensed persons are all part of RICO's mandate. Its staff also provides consumer education and referral services, and RICO's neighbor island branches serve as liaison offices for other divisions of the Department.

Professional and Vocational Licensing Division

The Professional and Vocational Licensing Division provides administrative and advisory services to the various boards and commissions in the Department of Commerce and Consumer Affairs. The Division prepares and scores the various licensing examinations and issues or renews licenses of qualified applicants. The Division provides administrative assistance to each regulatory board or commission. In addition, the Division proposes policies and rules and recommends amendments to existing law. The Department has assigned the following programs to the Division to administer (the applicable session law or Hawaii Revised Statutes chapter follows each program): activity providers and activity desks (Act 214, Session Laws of Hawaii 1990, as amended by Act 240, Session Laws of Hawaii 1991; Act 231, Session Laws of Hawaii 1992; and Act 174, Session Laws of Hawaii 1995); advanced practice registered nurse with prescriptive authority (section 457-8.6); cemeteries and funeral trusts (chapter 441); collection agencies (chapter 443B); commercial employment agencies (chapter 373); condominium property regimes (chapter 514A); dispensing opticians (chapter 458); electrologists (chapter 448F); hearing aid dealers and fitters (chapter 451A); limited equity housing cooperatives (chapter 421H); marriage and family therapists (chapter 451J); mortgage brokers and solicitors (chapter 454); nurse aides (chapter 457A); nursing home administrators (chapter 457B); occupational therapy (chapter 457G); port pilots (chapter 462A); real estate appraisers (chapter 466K); social workers (chapter 467E); subdivisions (chapter 484); time sharing plans (chapter 514E); and travel agencies (chapter 468L).

Attached for Administrative Purposes

The following regulatory boards and commissions are administratively attached to the Department. Pursuant to section 26-34, Hawaii Revised Statutes, the members of each board and commission are nominated and, by and with the advice and consent of the Senate, appointed by the Governor. Unless otherwise provided by law, the term of appointment is for four years, and no person may be appointed consecutively to more than two terms as a member of the same board or commission.

Board of Public Accountancy. The Board of Public Accountancy, established under section 466-4, Hawaii Revised Statutes, consists of nine members. Seven of the members must hold current licenses as public accountants or certified public accountants, six of these seven members must hold current permits to practice and be in active practice, and two are public members. The Board is required to examine the qualifications of applicants for licensure and to adopt rules designed to maintain a high standard of licensing for the protection of the consumer. The Board also orders disciplinary action against licensees including fine, suspension, or revocation for any violation of the licensing law or rules of the Board.

Board of Acupuncture. The Board of Acupuncture, established under section 436E-6, Hawaii Revised Statutes, is a five-member board consisting of three licensed acupuncturist members and two private citizen members. The Board examines all applicants for licensing in the practice of acupuncture. The Board adopts rules designed to maintain a high standard of licensing for the protection of the consumer. The Board also orders disciplinary action against

licensees including fine, suspension, or revocation for any violation of the licensing law or rules of the Board.

Board of Barbering and Cosmetology. The Board of Barbering and Cosmetology, established under section 438-3, Hawaii Revised Statutes, consists of seven members. Two members are barbers, two members are beauty operators, and three members represent the public. The two barber and two beauty operator members must have practiced in the State for at least five years. The primary function of the Board is to ensure the protection of the general public by establishing licensing standards that include training, entry level competence, scope of practice, and disciplinary sanction requirements. The practice of barbering includes licensure of barbers and barber shops and the registration of barber apprentices, and the practice of cosmetology includes licensure of beauty operators, instructors, beauty shops and beauty schools, and the registration of beauty apprentices. The Board adopts rules designed to maintain the entry level competence of licensing for the protection of the consumer.

Boxing Commission. The Boxing Commission, established under section 440-2, Hawaii Revised Statutes, consists of five members. One of the members is a member of the Hawaiian Association of the Amateur Athletic Federation of the United States. One member is designated by the Governor as Chairperson of the Commission. The Commission is vested with the sole jurisdiction, direction, management, and control over professional and amateur boxing within the State. The Commission adopts rules designed to maintain a high standard of licensing for the protection of the consumer. The Commission also orders disciplinary action against licensees including fine, suspension, or revocation for any violation of the licensing law or rules of the Board.

Board of Chiropractic Examiners. The Board of Chiropractic Examiners, established under section 442-3, Hawaii Revised Statutes, consists of five members. The officers of the Board are elected by the members. Two members represent the public. Each chiropractic member of the Board must be a licensed chiropractor and have practiced chiropractic in this State for at least five years immediately prior to the date of appointment. No person connected with any chiropractic school or college is eligible for appointment. The primary function of the Board is to examine applicants, issue licenses, and order disciplinary action against licensees including fine, suspension, or revocation. The Board adopts rules designed to maintain a high standard of licensing for the protection of the consumer.

Contractors License Board. The Contractors License Board, established under section 444-3, Hawaii Revised Statutes, consists of thirteen members. Ten of the members must be licensed contractors actively engaged in contracting for a period of not less than five years preceding their appointment. Of the thirteen members, five are general engineering or building contractors, five are specialty contractors, and the remaining three members are noncontractors. The primary functions of the Board are to establish rules, grant licenses, and enforce the regulatory provisions of the law. The Board also orders disciplinary action against licensees including fine, suspension, or revocation for any violation of the licensing law or rules of the Board. The Board adopts rules designed to maintain a high standard of licensing for the protection of the consumer.

Board of Dental Examiners. The Board of Dental Examiners, established under section 448-5, Hawaii Revised Statutes, consists of twelve members. Two members represent the public. The Board consists of one dentist member from each of the counties of Hawaii, Kauai, and Maui, and five dentists from the City and County of Honolulu. The dentist members must have been practicing dentists in the State for a period of at least five years preceding their appointment. Two members are duly licensed practicing dental hygienists who must have practiced as dental hygienists in the State for at least five years preceding their appointment. No member who has any connection with or financial interest in a dental supply company is eligible for appointment to the Board. The officers are elected by the board membership. The primary function of the Board is to examine and license dentists and dental hygienists. The Board adopts rules designed to maintain a high standard of licensing for the protection of the consumer. The Board also orders disciplinary action against licensees including fine, suspension, or revocation for any violation of the licensing law or rules of the Board.

Board of Electricians and Plumbers. The Board of Electricians and Plumbers, established under section 448E-2, Hawaii Revised Statutes, consists of seven members. Two members are from the electrical trade and two members from the plumbing trade. The remaining three members of the Board are private citizens not connected with either industry. The primary function of the Board is to ensure the protection of the general public through licensure of journey worker electricians, journey worker industrial electricians, journey worker specialty electricians, supervising electricians, supervising industrial electricians, supervising specialty electricians, master plumbers, journey worker plumbers, and maintenance electricians in electrical wiring work or plumbing work. The Board adopts rules designed to maintain a high standard of licensing for the protection of the consumer. The Board also orders disciplinary action against licensees including fine, suspension, or revocation for any violation of the licensing law or rules of the Board.

Elevator Mechanics Licensing Board. The primary function of the seven-member Elevator Mechanics Licensing Board, established under section 448H-3, Hawaii Revised Statutes, is to ensure the protection of the general public through the licensure of elevator mechanics and registration of apprentices in elevator mechanic work. The Board adopts rules designed to maintain a high standard of licensing for the protection of the consumer. The Board also orders disciplinary action against licensees including fine, suspension, or revocation for any violation of the licensing law or rules of the Board.

Of the seven board members, four are licensed elevator mechanics and two are lay members not connected or associated with the elevator or building industry. The seventh member is the Director of Labor and Industrial Relations or the Director's designee who is an employee of the Department of Labor and Industrial Relations and who has expertise in elevator and escalator installation and maintenance. A member elected by the Board serves as Chairperson.

Board of Professional Engineers, Architects, Surveyors, and Landscape Architects. The Board of Professional Engineers, Architects, Surveyors, and Landscape Architects, established under section 464-6, Hawaii Revised Statutes, consists of fourteen members. The Board is composed of four professional engineers, three professional architects, two professional

surveyors, two professional landscape architects, and three public members. Each member must have been a resident of the State for at least three years. Each professional member must have been engaged in the practice of the member's profession for at least five years immediately preceding the date of appointment. Each county is represented by at least one member who is a resident of the county.

The primary function of the Board is to qualify, license, and issue certificates of licensure to eligible professional engineers, architects, surveyors, and landscape architects. The Board adopts rules designed to maintain a high standard of licensing for the protection of the consumer. The Board also orders disciplinary action against licensees including fine, suspension, or revocation for any violation of the licensing law or rules of the Board.

Board of Massage Therapy. The Board of Massage Therapy, established under section 452-4, Hawaii Revised Statutes, consists of five members. The officers of the Board are elected by the members. Two members represent the public. The other three members of the Board must have three years of practical experience as licensed massage therapists and be actively employed as massage therapists. The primary function of the Board is to ensure the protection of the general public by establishing licensing standards that include training, entry level competence, scope of practice, and disciplinary sanction requirements. The Board adopts rules designed to maintain a high standard of licensing for the protection of the consumer.

Board of Medical Examiners. The Board of Medical Examiners, established under section 453-5, Hawaii Revised Statutes, consists of eleven members. Among the eleven members, seven are licensed physicians or surgeons, two are licensed osteopathic physicians, and two are lay members from the public at large. Of the nine members who are physicians or osteopathic physicians, at least five must be appointed from the City and County of Honolulu and at least one shall be appointed from each of the other counties. The Board licenses qualified applicants to practice medicine and surgery under chapter 453, Hawaii Revised Statutes, osteopathic medicine under chapter 460, Hawaii Revised Statutes, and podiatric medicine under chapter 463E, Hawaii Revised Statutes. The Board also licenses physician assistants and certifies emergency medical services personnel pursuant to chapter 453, Hawaii Revised Statutes. The Board adopts rules to implement the licensing laws and has the power to grant, deny, suspend, or revoke the license or certificate of any person who violates the licensing laws or rules of the Board.

Motor Vehicle Industry Licensing Board. The Motor Vehicle Industry Licensing Board, established under section 437-5, Hawaii Revised Statutes, consists of seven members. Three of the seven members must be engaged in the motor vehicle industry, and the remaining four members are private citizens not connected with the industry. The Board adopts rules covering the motor vehicle industry in the State and has the power to grant, deny, suspend, or revoke licenses for motor vehicle dealers, salespersons, or persons otherwise engaged in the business of selling or negotiating for the purchase of motor vehicles in the State.

Motor Vehicle Repair Industry Board. The Motor Vehicle Repair Industry Board, established under section 437B-3, Hawaii Revised Statutes, consists of seven members. Three are members connected with the motor vehicle repair industry, and at least two of the three are

mechanics. The remaining four members are lay members not connected with the motor vehicle repair industry. The Board supervises motor vehicle repair by motor vehicle repair dealers. It establishes the qualifications for the registration of dealers and mechanics and adopts rules relating to the motor vehicle repair industry. The Board adopts rules designed to maintain a high standard of licensing for the protection of the consumer.

Board of Examiners in Naturopathy. The Board of Examiners in Naturopathy, established under section 455-4, Hawaii Revised Statutes, consists of five members. Three members are licensed to practice naturopathy in the State and two members represent the public. Officers of the Board are elected by the membership. The primary function of the Board is to examine applicants for licenses to practice naturopathy. The Board adopts rules designed to maintain a high standard of licensing for the protection of the consumer. The Board also orders disciplinary action against licensees including fine, suspension, or revocation for any violation of the licensing law or rules of the Board.

Board of Nursing. The Board of Nursing, established under section 457-3, Hawaii Revised Statutes, consists of nine members. Six of the members are registered nurses, of whom one must meet the requirements for recognition as an advanced practice registered nurse, and one is a licensed practical nurse. Both nursing education and nursing service are represented on the Board. Two members represent the public. Six members are residents of the City and County of Honolulu, and three are residents of counties other than Honolulu.

The Board functions primarily to maintain high standards of quality in the nursing profession. The Board reviews the curricula of educational programs and approves nursing educational programs meeting the requirements of the Board and the law. The Board licenses qualified applicants and performs other duties necessary to the achievement of its purposes. The Board adopts rules designed to maintain a high standard of licensing for the protection of the consumer. The Board also orders disciplinary action against licensees including fine, suspension, or revocation for any violation of the licensing law or rules of the Board.

Board of Examiners in Optometry. The Board of Examiners in Optometry, established under section 459-3, Hawaii Revised Statutes, consists of seven members. Two members represent the public. The five professional members, one of whom must be from a county other than the City and County of Honolulu, are licensed optometrists who have been actively engaged in the practice of optometry for at least five years prior to their appointment. No person who is a stockholder, faculty member, or member of the board of trustees of any school of optometry is eligible for appointment. The primary functions of the Board are to examine and issue certificates to qualified applicants. The Board adopts rules designed to maintain a high standard of licensing for the protection of the consumer. The Board also orders disciplinary action against licensees including fine, suspension, or revocation for any violation of the licensing law or rules of the Board.

Board of Osteopathic Examiners. Act 248, Session Laws of Hawaii 1999, repealed the Board of Osteopathic Examiners. Oversight of osteopathic physicians licensed under chapter 460, Hawaii Revised Statutes, falls under the jurisdiction of the eleven-member Board of

Medical Examiners, of which two members are osteopathic physicians. See Board of Medical Examiners.

Pest Control Board. There are nine members on the Pest Control Board, established under section 460J-2, Hawaii Revised Statutes. Four members must be operators actively engaged in the pest control business for not less than five years prior to their appointment. Two members represent the public. The remaining three members of the Board are the Chairperson of the Board of Agriculture, the Director of Health, and the Chairperson of the Department of Entomology, College of Tropical Agriculture and Human Resources of the University of Hawaii, or their representatives. No two members of the Board may be employed by or associated with the same business firm engaged in pest control.

The Board is empowered to enforce the laws and rules governing pest control operators. It has the authority to grant licenses to qualified operators; to adopt rules designed to maintain a high standard of licensing for the protection of the consumer; and to order disciplinary action against licensees including fine, suspension, or revocation for any violation of the licensing law or rules of the Board.

Board of Pharmacy. The Board of Pharmacy, established under section 461-2, Hawaii Revised Statutes, consists of seven members. Two members represent the public. The five professional members must be graduates of a school or college of pharmacy, be licensed as pharmacists, and have practiced pharmacy in Hawaii for at least five years prior to their appointment. Four members are residents of the City and County of Honolulu, and three are residents of other counties. The primary functions of the Board are to examine applicants and issue licenses to those qualified. The Board adopts rules designed to maintain a high standard of licensing for the protection of the consumer. The Board also orders disciplinary action against licensees including fine, suspension, or revocation for any violation of the licensing law or rules of the Board.

Board of Physical Therapy. The Board of Physical Therapy, established under section 461J-4, Hawaii Revised Statutes, consists of seven members. Four members are physical therapists. Two members are consumers. The seventh member is a physician or surgeon with a permanent license under chapter 453 (medical doctors), chapter 460 (osteopaths), or a dentist with a permanent license under chapter 448, Hawaii Revised Statutes. The primary functions of the Board are to examine applicants, issue licenses, adopt rules designed to maintain a high standard of licensing for the protection of the consumer, and order disciplinary action against licensees including fine, suspension, or revocation for any violation of the licensing law or rules of the Board.

Board of Private Detectives and Guards. The Board of Private Detectives and Guards, established under section 463-2, Hawaii Revised Statutes, is a seven-member board composed of two chiefs of police of any of the four counties, two private citizens, a licensed private detective, and a licensed guard, with the Director of Commerce and Consumer Affairs as an ex officio nonvoting seventh member. The primary functions of the Board are to examine and license private detectives and guards. The Board adopts rules designed to maintain a high standard of licensing for the protection of the consumer. The Board also orders disciplinary action against

licensees including fine, suspension, or revocation for any violation of the licensing law or rules of the Board.

Board of Psychology. The Board of Psychology, established under section 465-4, Hawaii Revised Statutes, consists of seven members. Five of the members represent varied specialties of the profession, each of whom are licensed to practice psychology under chapter 465, Hawaii Revised Statutes, and have a minimum of five years of post-doctoral professional experience, and two are lay members from the community. The Board's primary function is to examine the qualifications of applicants for licensure. The Board adopts rules designed to maintain a high standard of licensing for the protection of the consumer. The Board also orders disciplinary action against licensees including fine, suspension, or revocation for any violation of the licensing law or rules of the Board.

Real Estate Commission. The Real Estate Commission, established under section 467-3, Hawaii Revised Statutes, consists of nine members. The Governor designates the Chairperson of the Commission. Four of the members are residents of the City and County of Honolulu, and three are residents of each of the counties of Hawaii, Kauai, and Maui. Two members represent the public. At least four members are licensed real estate brokers who have been engaged as licensed brokers or salespersons for at least three years immediately preceding their appointment. The primary functions of the Commission are to license qualified real estate brokers and salespersons and to protect the general public in real estate transactions. In addition, the Commission has partial authority over the condominium property regime law and limited equity housing cooperatives. The Commission adopts rules designed to maintain a high standard of licensing for the protection of the consumer. The Commission also orders disciplinary action against licensees including fine, suspension, or revocation for any violation of the licensing law or rules of the Board.

Board of Speech Pathology and Audiology. The Board of Speech Pathology and Audiology, established under section 468E-6, Hawaii Revised Statutes, consists of seven members. Two members are speech pathologists, two are audiologists, and three are public members, one of whom must be a licensed physician certified by the American Board of Otorhinolaryngology. The Board administers and enforces chapter 468E, Hawaii Revised Statutes, and adopts rules designed to maintain a high standard of licensing for the protection of the consumer. The Board reviews and licenses speech pathologists and all applicants for licensure as audiologists. The Board also orders disciplinary action against licensees including fine, suspension, or revocation for any violation of the licensing law or rules of the Board.

Board of Veterinary Examiners. The Board of Veterinary Examiners, established under section 471-3, Hawaii Revised Statutes, consists of seven members. Four members are from the City and County of Honolulu, and three are from other counties. Two members represent the public. The five professional members must be veterinarians who have been licensed to practice in the State for at least five years and are actively engaged in the practice of veterinary medicine at the time of appointment, or, if not active, were previously so engaged for ten years. The Board selects its own officers. The primary functions of the Board are to examine and license qualified applicants. The Board adopts rules designed to maintain a high standard of licensing for the protection of the consumer. The Board also orders disciplinary

action against licensees including fine, suspension, or revocation for any violation of the licensing law or rules of the Board.

Design Professional Conciliation Panels. All actions for damages arising out of the alleged professional negligence of a professional engineer, architect, surveyor, or landscape architect must first be filed with the Design Professional Conciliation Panel (DPCP), established under section 672-3, Hawaii Revised Statutes, before such actions can be pursued in the courts. Some claims filed with DPCP may not be appropriate for DPCP proceedings, and the parties can apply to the Circuit Court for a determination of unsuitability. All other claims filed with the DPCP are submitted to separate panels which are assembled to hear each particular case. Each Panel is comprised of a chairperson, an attorney member, and a design professional member. After considering the matters presented by the respective parties at the hearing on the claim, the Panel renders a written advisory decision regarding liability, and if liability is found, the appropriate amount of damages. If any party rejects the Panel's decision, the claimant may then file a lawsuit.

Medical Claim Conciliation Panels. Before any lawsuit regarding medical torts can be filed, the claim must first be submitted to the Medical Claim Conciliation Panel (MCCP), established under section 671-11, Hawaii Revised Statutes. A separate panel is convened to hear each claim. Each panel is comprised of a chairperson, a licensed attorney, and a licensed physician or surgeon. The Panel reviews the information presented by all of the parties and then renders a written advisory decision regarding liability. If liability is found, the Panel's decision will also indicate the amount of damages that should be awarded to the claimant. If any party rejects the Panel's decision, or if the claim is not decided by the MCCP within eighteen months, the claimant may then file a lawsuit.

Hawaii Hurricane Relief Fund

The Hawaii Hurricane Relief Fund (HHRF), established under section 431P-2, Hawaii Revised Statutes, is placed within the Department for administrative purposes. The HHRF establishes and administers a plan of operation for providing hurricane insurance coverage in the State if unavailable from the private insurance market. Its Board of Directors consists of six members and the Insurance Commissioner as an ex officio voting member. Of the six members appointed by the Governor with the advice and consent of the Senate, two are from a list of nominations submitted by the President of the Senate and two from a list of nominations submitted by the Speaker of the House of Representatives. The Governor selects the Chairperson and Vice Chairperson from among the members. The HHRF has suspended its insurance operations as of December 1, 2001, because the private market has returned to the provision of hurricane insurance in Hawaii.

DEPARTMENT OF DEFENSE

The State Constitution, Article V, section 5, provides that the Governor is the Commander in Chief of the armed forces of the State. The Department of Defense is established under section 26-21, Hawaii Revised Statutes. The Adjutant General, pursuant to section 121-7, Hawaii Revised Statutes, is the executive head of the Department of Defense and the commanding general of the militia of the State and, pursuant to section 26-21, Hawaii Revised Statutes, the Director of Civil Defense. The Adjutant General supervises all of the forces comprising the military components of the Department of Defense of the State. Military supervisory power includes the command, discipline, training, and recruiting of the armed forces of the State, military operations, distribution of troops, inspections, armament, military education and instruction, fiscal operations, administration, and supply.

Civil Defense Division

The Civil Defense Division plans, coordinates, and supervises civil defense activities throughout the State. The objectives of civil defense are to minimize the loss of life and property, restore essential public services, and expedite recovery and rehabilitation in the event of natural disaster, and, in the event of national emergency, to ensure the continuation of civil government and to manage the mobilization and utilization of the State's resources and production.

Army and Air National Guard Divisions

The Hawaii National Guard, which consists of the Hawaii Air National Guard and the Hawaii Army National Guard, maintains its readiness for state and federal active duty. Both the Air and Army National Guard are prepared for local or global assignments, should the Governor or President order either to active duty. Each member of the Air and Army National Guard is a member of the state militia and the National Guard of the United States. All members are subject, as the case may be, to the call of Governor or the President. The National Guard (at the state level) and the militia are regulated under chapter 121, Hawaii Revised Statutes.

Hawaii State Defense Force

The Hawaii State Defense Force, established under chapter 122A, Hawaii Revised Statutes, is currently an inactive division of the Department of Defense. When activated as part of the State's organized militia, the Hawaii State Defense Force may be employed by competent civil authority to help preserve peace and order and maintain the public's safety. Members consist of able-bodied citizen volunteers, supplemented, if necessary, by members of the State's unorganized militia.

Civil Defense Advisory Council

The Civil Defense Advisory Council, established under section 128-4, Hawaii Revised Statutes, consists of seven members appointed by the Governor with the advice and consent of the Senate. Persons holding public office or employed in the government of the State or any of its political subdivisions are eligible for appointment to the Council. The Council sits in an advisory capacity to the Governor and the Director of Civil Defense on matters pertaining to civil defense.

Office of Veterans' Services

The Office of Veterans' Services, established under section 363-2, Hawaii Revised Statutes, and placed in the Department of Defense for administrative purposes, is the principal agency in state government responsible for the administration and conduct of all functions and activities concerning veterans. It maintains a veterans' services delivery network, evaluates services to veterans, serves as a clearinghouse for veterans' complaints, and operates the State Veterans Cemetery on Oahu.

Advisory Board on Veterans' Services

The Advisory Board on Veterans' Services, established under section 363-3.5, Hawaii Revised Statutes, consists of seven members appointed by the Governor. Five members must be veterans, and there must be at least one member from each of the counties. The Director of Health, the Director of Human Services, the Director of Labor, and the Adjutant General are ex officio members. The Advisory Board sits in an advisory capacity to the Director of the Office of Veterans' Services.

Hawaii National Guard Youth Challenge Academy

The Hawaii National Guard Youth Challenge Academy, located at Kalaeloa, was begun in September 1994. The program provides sixteen- to eighteen-year-old at-risk youths a second chance to earn their high school diploma, while learning the skills and discipline necessary to become productive citizens. The students, or "corpsmembers," live in a military-style environment for 22 weeks during the residential phase of the program. Corpsmembers must remain drug-free and be physically and mentally able to complete the program. A personal mentor follows the progress of the corpsmember for at least one year during the post-residential phase. In the post-residential phase, corpsmembers are required to enroll in higher education, enlist in the U.S. military, or hold gainful employment in order to attain their diploma. The program is funded mostly by the federal government, with the State funding a smaller portion.

DEPARTMENT OF EDUCATION

The Department of Education, established under section 26-12 and specifically provided for in chapter 302A, Hawaii Revised Statutes, manages the statewide systems of public schools and public libraries. Both systems are under the policy-setting authority of the Board of Education and are administered separately.

Board of Education

The Board of Education, established under the State Constitution, Article X, section 2, formulates policy and manages the public school and public library systems through its appointed executive officers, the Superintendent of Education and the State Librarian.

The Board consists of thirteen members elected to four-year terms pursuant to sections 13-1 and 13-5, Hawaii Revised Statutes, and one nonvoting student member appointed for a one-year term by the Hawaii State Student Council, pursuant to the State Constitution, Article X, section 2. While ten of the elected members are from the City and County of Honolulu, and one each are from the counties of Hawaii, Maui, and Kauai, each Board member has statewide responsibility.

Public School System

The Public School System is responsible for all public schools with educational programs and services in grades K-12. It provides limited preschool programs, community/adult education programs, and other programs for students with disabilities or special needs. Other programs administered by the Public School System include summer school programs and the A+ afterschool childcare program. It also regulates private trade, vocational, and technical schools (but no longer regulates or licenses private K-12 schools).

Under policies established by the Board of Education, the Superintendent is designated as the chief executive officer of the Public School System, pursuant to section 302A-1111, Hawaii Revised Statutes. The Superintendent appoints a leadership team composed of the Deputy Superintendent; state-level Assistant Superintendents for the Office of Business Services, Office of Human Resources, Office of Information and Telecommunication Services, and Office of Curriculum and Instruction; District Superintendents and Deputy District Superintendents for seven administrative school districts (four on Oahu and one each for the counties of Hawaii, Maui, and Kauai); and an Executive Assistant.

The state-level offices provide the Public School System with administrative, professional, and technical support services, while the district offices are responsible for administering the public schools within their districts and for providing support services to the schools.

Office of the Superintendent

The Office of the Superintendent includes the Superintendent, Deputy Superintendent, Administrative Assistant, and seven offices: (1) Budget Office, which assists the Superintendent in the preparation, coordination, and explanation of the operating budget of the System; (2) Communications Office, which provides public relations service to the Board and schools, and coordinates dissemination of information to the public; (3) Civil Rights Compliance Office, which promotes compliance with equal opportunity laws, and coordinates administrative rulemaking; (4) Planning, Evaluation, and Testing Office, which provides departmental planning, evaluation, test development, and administration services; (5) Internal Auditor, which examines and evaluates the Department's system of internal controls; (6) Program Development Office, which provides leadership and technical guidance to maintain compliance with federal regulations in the provision of educational and related services to special education students and with the requirements of the Felix vs. Cayetano Consent Decree; and (7) Business Education Partnerships Office, which coordinates promotion of partners-in-education programs with various sectors of the community.

Office of Business Services

The Office of Business Services provides business, fiscal, and logistical support services and programs for the operations of the System. Such services and programs include financial accounting, payroll, purchasing, development and management of facilities construction and maintenance, school food services, printing and graphics, safety, and student transportation.

Office of Human Resources

The Office of Human Resources administers a comprehensive employment and industrial relations program. It handles matters pertaining to collective bargaining and negotiation; administers employment contracts; processes employee grievance and arbitration cases; promotes equal employment opportunity and affirmative action; administers the classification and compensation plan for certificated personnel (teachers and educational officers); administers the employee benefits and welfare program; plans and administers career development programs; certifies public school administrators; and provides related services.

Office of Information and Telecommunication Services

The Office of Information and Telecommunication Services provides voice, data, and video information systems infrastructure and support services for the public schools and state and district administrative offices. It provides leadership and direction for planning and supporting the effective use and management of information resources. It develops and maintains information and data processing systems for systemwide financial management and student information; provides data management and statistical research; and promotes, acquires,

produces, and disseminates educational technology and multimedia resources to develop and support instructional programs.

Office of Curriculum and Instruction

The Office of Curriculum and Instruction provides services in planning, developing, implementing, and evaluating policies, programs, and procedural guidelines relating to instruction and educational support services to the public schools, including special education and adult community schools. Curriculum specialists assist the schools in developing successful practices that enhance student literacy and learning. The Office's responsibilities include all regular programs of instruction as well as services for disabled and gifted students, those with limited English proficiency, and students requiring compensatory education.

Public Library System

The management of the Public Library System is under the Board of Education, pursuant to section 312-1, Hawaii Revised Statutes.

State Librarian

The State Librarian, under section 312-2.1, Hawaii Revised Statutes, is appointed by the Board of Education and is responsible for all community/school and public libraries in the State. The System operates forty-nine public libraries, including twenty-three on Oahu, thirteen on Hawaii, six on Maui, five on Kauai, and one each on Molokai and Lanai.

Following major reorganization in 1995 and 1996, the System includes a Public Libraries Branch, which replaced library district offices in overseeing the Hawaii State Library, Library for the Blind and Physically Handicapped, and forty-seven branch libraries; the Management Information Branch, which handles administrative matters and federal grants; the Human Resources Branch, which provides centralized personnel services; and units providing Support Organizational Services for promotional needs and Logistical Support Services for centralized mail, deliveries, and supplies.

Advisory Bodies

Advisory Council for Adult and Community Education

The Board of Education appoints an Advisory Council for Adult and Community Education composed of fifteen or more representatives of industry, labor, civic organizations, and education, pursuant to section 302A-434, Hawaii Revised Statutes. Appointments are for a term of two years with reappointments optional but not to exceed a total of six years on the Council.

Library Advisory Commissions

Pursuant to section 26-12, Hawaii Revised Statutes, the Board of Education may establish, specify the membership number and quorum requirements for, appoint members to, and disestablish a Library Advisory Commission, in each county, which sits in an advisory capacity to the Board on matters relating to public library services in its respective county.

Advisory Alliance for Literacy and Lifelong Learning

An advisory council known as the Advisory Alliance for Literacy and Lifelong Learning is established within the Office of the State Librarian, under section 312-10, Hawaii Revised Statutes. The Alliance consists of seven members appointed by the Board of Education, with at least one member from each county. The Alliance acts as a statewide literacy planning alliance to maximize resources for community-level programs.

Teacher Education Coordinating Committee

The Teacher Education Coordinating Committee is established under section 304-20, Hawaii Revised Statutes, to cover matters of common interest to the Department of Education and institutions of higher learning in Hawaii. The membership of the Committee includes the Superintendent of Education and the Dean of the College of Education of the University of Hawaii, who serve in alternate years as Chairperson of the Committee. The members include a representative of each accredited teacher training institution in Hawaii, and others appointed by the Superintendent and Dean. The Committee submits an annual report to the Legislature which may include recommendations for legislative consideration.

Attached for Administrative Purposes

Classification/Compensation Appeals Board

The Classification/Compensation Appeals Board, established under section 302A-620, Hawaii Revised Statutes, is composed of three members. One member is appointed by the Board of Education, one member by the exclusive bargaining unit representing educational officers, and the third member is appointed by the Governor and serves as Chairperson. The Board sits as an appellate body on matters of classification/compensation of educational officers. The Board hears pricing appeals and completes the final adjustment to the classification/compensation plan by the first Wednesday of December of all even-numbered years. Following submission to and approval by the Legislature, the classification/compensation plan is effective as of July 1 of each odd-numbered year.

Hawaii Teacher Standards Board

The Hawaii Teacher Standards Board, established under section 302A-801, Hawaii Revised Statutes, consists of nine members, including four certified teachers, three educational officers, the Chairperson of the Board of Education, and the Dean of the University of Hawaii College of Education. To the extent possible, the Board membership reflects representation of elementary and secondary school personnel and the neighbor islands. The Board establishes teacher licensing and credentialing standards and issues such licenses and credentials. The Board also conducts a cyclical review of standards and establishes licensing and credentialing fees.

DEPARTMENT OF HAWAIIAN HOME LANDS

The legal basis for the establishment of the Department of Hawaiian Home Lands (DHHL) is the Hawaiian Homes Commission Act, 1920, as amended (HHCA). Passed by Congress and signed into law by President Warren Harding on July 9, 1921 (chapter 42, 42 Stat. 108), the HHCA provides for the rehabilitation of the native Hawaiian people through a government-sponsored homesteading program. Native Hawaiians are defined as individuals having at least 50 percent Hawaiian blood.

Pursuant to provisions of the HHCA, the Department provides direct benefits to native Hawaiians in the form of 99-year homestead leases at an annual rental of \$1. In 1990, the Legislature authorized the Department to extend leases for an aggregate term not to exceed 199 years (Act 305, Session Laws of Hawaii 1990; section 208, HHCA). Homestead leases are for residential, agricultural, or pastoral purposes. Aquacultural leases are also authorized, but none has been awarded to date. The intent of the homesteading program is to provide for economic self-sufficiency of native Hawaiians through the provision of land.

Other benefits provided by the HHCA include financial assistance through direct loans or loan guarantees for home construction, replacement, or repair, and for the development of farms and ranches; technical assistance to farmers and ranchers; and the operation of water systems.

Hawaiian Homes Commission

Pursuant to section 202, HHCA, the Department is headed by an executive board, the Hawaiian Homes Commission, whose nine members are appointed by the Governor with the advice and consent of the Senate. Three of the members are residents of the City and County of Honolulu; two are residents of the County of Maui, with one being a resident of the island of Molokai; two are residents of the County of Hawaii, one being a resident of East Hawaii and the other a resident of West Hawaii; one is a resident of the County of Kauai; and the ninth member is the Chairman, who is appointed by the Governor from among the members of the Commission. Members must be residents of the State at least three years prior to their appointment. At least four of the members must have not less than one-fourth Hawaiian blood. The Chairman of the Commission serves as the full-time administrator of the Department; other members of the Commission serve without pay.

Homestead Services Division

The Homestead Services Division is involved in the direct servicing of homestead lessees and applicants for homestead leases. Its three branches are: (1) the District Operations Branch, which provides direct services to lessees and applicants on a statewide basis through its six district offices of East Hawaii, West Hawaii, Maui, Molokai, Oahu, and Kauai, and manages the homestead areas and projects on those islands; (2) the Homestead Applications Branch, which

receives and processes applications for homesteads and maintains and updates waiting lists; and (3) the Loan Services Branch, which provides financial services for financing for new home construction, replacement homes, home repairs, farming, and ranching; provides access to other loan sources through its loan guaranty program; and undertakes collection activities to obtain payments.

Land Development Division

The Land Development Division, is responsible for developing Hawaiian home lands for homesteading and income-producing purposes. Its three branches are: (1) the Design and Construction Branch, which designs and constructs on-site and off-site improvements for the development of residential, farm, and pastoral lots for homesteading purposes; (2) the Housing Project Branch, which provides turn-key homes in in-fill project areas to applicants and assists lessees of vacant lots in arranging financing and in contracting with a builder; and (3) the Master-Planned Community Branch, which prepares plans for entire communities with homes, businesses, services, open space, and recreational and cultural amenities.

Land Management Division

The Land Management Division, is responsible for management of the Department's non-homestead land, maximizing returns from existing and potential income properties, enforcement activities, and development of a comprehensive land inventory. Its three branches are: (1) the Technical Services Branch, which provides the Division with appraisal preparations and documentation of license and easement agreements, as well as computerization of DHHL's land inventory; (2) the Land Management Branch, which manages the Department's lands which are not currently under homestead lease, which includes maintaining those lands and working with general lessees and licensees; and (3) the Income Property Branch, which is charged with developing some of DHHL's land for income purposes. When completed, the lands will be turned over to the Land Management Branch for management.

Administrative Services Office

The Administrative Services Office provides support services to the Department in the areas of personnel, budgeting, program evaluation, information and communication systems, and internal management assistance.

Fiscal Office

The Fiscal Office is responsible for providing accounting, fiscal services, and internal control systems for the Department, including collecting lease and loan payments and other activities. It provides management tools with its financial reports and statements, as well as

information on financial trends and developments; and provides for investment on financial trends and developments, and for the investment of cash not immediately needed for operations.

Information and Community Relations Office

The Information and Community Relations Office plans, organizes, and carries out public information and community relations programs and projects. It produces the Department's publications, exhibits, and displays. It also provides advice and assistance to the Hawaiian Homes Commission and the Department of Hawaiian Home Lands' staff on public relations and public information matters.

Planning Office

The Planning Office prepares preliminary studies required for future land development, water resource development, and the proper consideration of archaeological, historical, and environmental concerns. Functions of the Trust Resolution Project have been transferred to this Office.

DEPARTMENT OF HEALTH

The Department of Health (DOH), established under section 26-13 and specifically provided for in chapter 321, Hawaii Revised Statutes, is headed by the Director of Health. The Department is the state agency responsible for the planning, execution, and coordination of public health and environmental health programs for the protection and improvement of the environmental, physical, and mental well-being of the people of Hawaii. The mission of the Department is to provide leadership to monitor, protect, and enhance the health and environment of all the people of Hawaii. It enforces the State's public health and environmental health laws and administers various programs to improve the delivery of health services and protect the public health.

Office of the Director

The Office of the Director directs and coordinates activities of the Department through four administrations headed by deputy directors for: General Administration, Behavioral Health, Environmental Health, and Health Resources.

Communications Office. The Communications Office, attached to the Office of the Director of Health, handles internal and external communications within the Department, produces newsletters, handles media relations, oversees design and presentation of department materials intended for the public, and oversees the printing operations of the Department.

Board of Health

The Board of Health, established under section 26-13, Hawaii Revised Statutes, serves as an advisory panel to the Director of Health. The Board consists of eleven members, appointed by the Governor with the advice and consent of the Senate, and the Director of Human Services as an ex officio nonvoting member. The appointed members include at least one resident of each county, including the county of Kalawao.

ADMINISTRATIONS

General Administration (Reporting to the Deputy Director of Health)

District Health Offices. There are District Health Offices on the islands of Kauai, Maui, and Hawaii. These offices administer and coordinate public health services in each of the neighbor island counties with technical assistance and cooperation of staff offices and administrations.

Administrative Services Office. The Administrative Services Office provides department-wide accounting and fiscal services, inventory control, contract processing, and

centralized mailroom services; coordinates the Department's program plans and budget; administers the organization and staffing program as well as records management; and coordinates preparation and execution of the Department's capital improvement projects.

Affirmative Action Office. The Affirmative Action Office assists programs to assure nondiscriminatory services and equal employment opportunity relating to state and federal discrimination laws; develops policy; informs and trains staff; coordinates and investigates complaints; and recommends correction or disciplinary actions.

Health Information Systems Office. The Health Information Systems Office provides data processing services to the Department, coordinates development of computer application systems, provides specialized technical support in computing and network connectivity, and coordinates data processing matters.

Health Status Monitoring Office. The Health Status Monitoring Office develops and maintains reports of health status of Hawaii's people. The Office issues marriage licenses; keeps records of birth certificates, death certificates, and other vital records; and provides assistance in genealogical searches.

Personnel Office. The Personnel Office coordinates personnel management and administration in compliance with civil service laws, rules, and collective bargaining agreements; encourages managers to develop and use good personnel management practices; advises employees of rights, privileges, and obligations; and counsels on possible conflicts of interest.

Planning, Policy and Program Development Office. The Planning, Policy and Program Development Office is responsible for legislative planning, special planning projects, and rural health care coordination. The Office provides support for programs applying for federal or foundation grants and technical assistance for administrative rules.

Office of Health Care Assurance (OHCA). The Office of Health Care Assurance (formerly the Hospital and Medical Facilities Branch) manages the state licensing and federal certification of medical and health care facilities, agencies, and services provided throughout the State in order to ensure compliance with established standards of care.

State Laboratories. The State Laboratories provides support to other health programs, including the environmental regulatory programs (includes air surveillance and analysis, chemistry, environmental microbiology, and medical microbiology branches) and the communicable disease control programs (medical microbiology). The State Laboratories also provide specialized services to other health care facilities.

The State Laboratories coordinates laboratory testing services for the Department. The Division licenses clinical lab personnel for the Department, substance abuse testing labs, and medical review officers.

Behavioral Health Administration

Alcohol and Drug Abuse Division

The Alcohol and Drug Abuse Division provides leadership and planning for development of quality substance abuse prevention, intervention, and treatment services. The Division administers federal block grant and state funds; accredits programs; certifies substance abuse counselors and program administrators; and manages and monitors services purchased through contracts with private agencies.

Adult Mental Health Division

The mission of the Adult Mental Health Division (AMHD) is to promote, provide, coordinate, and administer a comprehensive system of care for individuals 18 years of age and older who have serious and persistent mental illnesses. The vision of AMHD developed with system stakeholders is based on recovery and rehabilitation as guiding principles, with access in all areas through public/private partnerships, consideration of the wants, needs, and preferences of consumers and family members, and assurance of consistent, caring services. AMHD oversees four public Community Mental Health Centers in each of the four counties (Oahu, Hawaii, Kauai, Maui); Hawaii State Hospital; and the Courts and Corrections Branch, and contracts with a variety of mental health providers for service provision.

Hawaii State Hospital

Hawaii State Hospital, a specialized inpatient psychiatric facility, is located in Kaneohe, Oahu. Inpatient services are provided for persons committed civilly and by the criminal courts. The Hospital received three-year accreditation by the Joint Commission on the Accreditation of Health care Organizations (JCAHO) in 1996, with a renewal in 1999.

Courts and Corrections Branch

The Courts and Corrections Branch of the Adult Mental Health Division provides court-ordered mental health evaluations to the state court system pursuant to chapter 704, Hawaii Revised Statutes, Fitness to Proceed and Penal Responsibility.

Child and Adolescent Mental Health Division

The Child and Adolescent Mental Health Division facilitates entry and access to the comprehensive array of mental health services through the procurement of emergency, intensive outpatient, and community-based and residential services from purchase of service providers; provides linkages to services to ensure a seamless delivery of services; facilitates service

planning processes in the development and regular review of coordinated service plans; and conducts service-related quality assurance and accountability reviews.

Environmental Health Administration

Environmental Health Services Division

Vector Control Branch. The Vector Control Branch is a regulatory program that conducts investigative enforcement and control of vectors (insects, rodents, etc.) to prevent the transmission of communicable disease and health-related injuries to the people and visitors in Hawaii.

Sanitation Branch. The Sanitation Branch inspects food service establishments, milk plants, frozen dessert manufacturing plants, dairy farms, hotels, adult family care homes, intermediate care facilities, skilled nursing facilities, hospitals, public swimming pools, barber and beauty shops, mortuaries, tattoo parlors, and massage parlors.

Noise, Radiation and Indoor Air Quality Branch. The Noise, Radiation and Indoor Air Quality Branch is responsible for statewide programs of community noise and radiation control through the provision of services which include inspectional, educational, consultative, and enforcement activities. The Branch also works to ensure that air conditioning and ventilation rules are enforced and that the public is protected from exposure to lead and asbestos. Indoor air quality problems are also addressed.

Food and Drug Branch. The Food and Drug Branch is the regulatory program responsible for the safety and labeling of most food, drugs, cosmetics, medical devices, and related consumer products. The Branch performs inspections and collects samples of products for lab testing.

Environmental Management Division

Clean Air Branch. The Clean Air Branch monitors for air pollution, administers the agricultural burning and air pollution control permit programs, provides regulatory oversight and enforcement on air pollution sources, and maintains the statewide air emission inventory.

Clean Water Branch. The Clean Water Branch is responsible for the Statewide Water Pollution Control Program for the protection of state waters. It provides water quality monitoring, pollution investigations, and enforcement, responds to complaints on water pollution, and responds to sewage spills and other illegal discharges into state waters.

Safe Drinking Water Branch. The Safe Drinking Water Branch administers state and federal safe drinking water requirements for public water systems and for underground injection control facilities, implements a revolving loan fund for drinking water system improvement

projects, administers a state public water system operator certification program, and develops and implements the State's groundwater protection program.

Solid and Hazardous Waste Branch. The Solid and Hazardous Waste Branch conducts compliance monitoring and investigation for proper management of hazardous waste; oversees underground storage tanks (UST) and leaking USTs; and reviews site reports on contaminated soil and groundwater.

Office of Solid Waste Management. The Office of Solid Waste Management oversees and permits operation and closures of solid waste transfer, reclamation, and handling facilities; develops alternative solid waste management strategies for special wastes (used oil, lead acid batteries, etc.); and facilitates recycling and waste diversion efforts.

Wastewater Branch. The Wastewater Branch protects the public health and preserves the environment and fresh, underground, and marine water resources by effectively managing the collection, treatment, and disposal of wastewater (sewage); regulates all public and private wastewater systems; and approves all new wastewater systems.

Environmental Health Analytical Services Branch. The Environmental Health Analytical Services Branch performs monitoring and chemical analysis of environmental samples.

Medical Microbiology Branch. The Medical Microbiology Branch analyzes human specimens for communicable diseases.

Hazard Evaluation and Emergency Response Office

The Hazard Evaluation and Emergency Response Office provides state leadership and support for responding to releases of oil and hazardous substances; develops effective, well-coordinated environmental responses; and identifies sites of hazardous substance releases. The Office also provides information on poisonous effects of chemicals (pesticides, metals, solvents, pollutants, food additives, etc.) found in the environment.

Environmental Planning Office

The Environmental Planning Office is responsible for long-range planning to ensure that the State's public health and environment are not compromised by pollutants. The programs it manages include the Water Quality Standards Program, the Total Maximum Daily Load (TMDL) Program, and the Environmental Equity Project.

Environmental Resources Office

The Environmental Resources Office provides administrative, personnel, budget, and fiscal support.

Compliance Assistance Office

The Compliance Assistance Office was established within the Department of Health in 1998 to help small businesses overcome the hurdles they face in their efforts to succeed in business while following environmental regulations. The Office works to promote communication between the Department and small businesses by increasing understanding, interceding in disputes, and promoting inclusion of small business perspectives in rulemaking.

Health Resources Administration

Family Health Services Division

The mission of the Family Health Services Division is to assure the availability of and access to preventive and protective core public health services for individuals and families by providing leadership in collaboration with communities and public-private partners.

The major focus of the Division is the support of families through preventive and interventive health and health support services, emphasizing reduction of infant mortality and support of families with children with special health risks or needs. The Division has three Branches: Children with Special Health Needs, Maternal and Child Health Branch (MCHB), and the WIC Services Branch.

Maternal and Child Health Branch. The Maternal and Child Health Branch assures the optimal health of individuals and their families by providing quality preventive and interventive health services through a variety of strategies that focus on core public health functions through community partnerships and collaboration. Services addressing primary care, family planning, perinatal, optimal child health, and family support are provided. Surveillance activities monitor pregnancy and birth outcomes, infant and children's deaths, and screen for lead in children, depression in pregnant and postpartum women, and substance use and violence that impact families' lives.

Coordination with the Department of Education focuses on improving the health of students (and secondarily their families) through enhanced networking, planning, and resource development. Specific programs overseen by the Branch include Healthy Start, BabySAFE, Parentline, community provider contracts, and the Child Death Review, among others.

Children with Special Health Needs Branch. The Children with Special Health Needs Branch promotes family-centered, community-based coordinated systems of services for children with special health care needs (CSHCN) and their families, in order to assure that all CSHCN will receive appropriate services to optimize health, growth, and development, and to assure access to quality health care services. This is accomplished through public health functions including assessing and monitoring health status to identify and address problems, development of standards, community and professional education, community partnerships, linking CSHCN and their families to health and other services, and conducting special studies and projects. Programs include: Newborn Metabolic Screening, Newborn Hearing Screening, Birth Defects, Early Intervention (Part C of Individuals with Disabilities Education Act), Respite, Preschool Developmental Screening, Children with Special Health Needs/Social Work, Nutrition, and Genetics programs.

Primary Care Development. Primary Care Development includes needs assessment and planning for primary care services in the State. The goal is to improve access to primary care for medically underserved populations and to eliminate health disparities.

WIC Services Branch. The Special Supplemental Nutrition Program for Women, Infants, and Children (WIC) is a \$30 million USDA federally funded short-term intervention program providing nutrition counseling and food assistance for low-income pregnant and postpartum women and children up to age five. The program is designed to help establish good nutrition and health behaviors through nutrition education, breastfeeding promotion, a monthly food prescription allotment, and access to health and social services. WIC contracts with state Community Health Centers to provide services, resulting in greater integrated health service delivery. Along with income eligibility, all participants must be considered nutritionally "at risk."

Developmental Disabilities Division

The major focus of the Developmental Disabilities Division is to prevent institutionalization of people with developmental disabilities through community-based services.

Developmental Disabilities Branch. The Developmental Disabilities Services Branch provides system supports for person with disabilities; certifies and monitors adult foster and developmental disabilities domiciliary homes; coordinates the complaints resolution process; assesses and evaluates consumer directed outcomes; and plans long-term supports for persons with brain injury.

Case Management and Information Services Branch. The Case Management and Information Services Branch provides community-based services to clients who are developmentally disabled to sustain them in community living and to preserve family integrity; coordinates purchase-of-services for MR/DD clients; and assists with respite to families of people with MR/DD.

Community Health Division

The Community Health Division administers community-based programs which plan, provide, promote, and coordinate health intervention services and support for at-risk families, populations, and communities who are most likely to experience unhealthy outcomes. The Division is also responsible for nursing supervision and oversight/intervention in the public schools.

By targeting specific community needs, the CHD is able to attain healthier outcomes for all populations by utilizing the resources of the Public Health Nursing and the Chronic Disease Management Branches.

Public Health Nursing Branch. The Public Health Nursing Branch collaborates with a myriad of public and private agencies/programs to ensure a system of services that are accessible, coordinated, and integrated, and in partnerships with individuals and families. The Branch provides generalized clinical nursing intervention services as responders to disasters and public health outbreaks; communicable disease source and contact investigations; immunization services; care coordination services for targeted at-risk populations and families having difficulties accessing the health care system; and school-based health services in the public schools. The focus of public health nursing practice is to work with at-risk individuals/families/communities to improve and enhance health practices and facilitate access to health and other services through a system of comprehensive, family-centered, and community-based services.

Chronic Disease Management and Control Branch. The Chronic Disease Management and Control Branch works in collaboration with community partners to prevent and reduce the negative impact of chronic and disabling diseases. Prevention of the occurrence and progression of chronic disease is based on reducing or eliminating behavioral risk factors, increasing the prevalence of health promotion practices, and detecting disease early to avoid complications. The Branch focuses on developing the policies, environments, and systems which are supportive of healthy behavior and appropriate health care.

Communicable Disease Division

Epidemiology Branch. The Epidemiology Branch provides for the investigation, prevention, and control of communicable diseases other than STD/AIDS, tuberculosis, and Hansen's Disease. The Branch performs outbreak investigations and provides communicable disease reports, Hepatitis B vaccination for high-risk persons, Hepatitis B education, travel immunization advice, and rabies and zoonoses investigation.

STD/AIDS Prevention Branch. The STD/AIDS Prevention Branch promotes the prevention and reduction of incidences and severity of sexually transmitted diseases and the human immunodeficiency virus (HIV/AIDS). The Branch offers free and confidential STD and anonymous HIV antibody counseling and testing.

Tuberculosis Control Branch. The Tuberculosis Control Branch plans and coordinates all efforts to prevent the spread of tuberculosis infection and maintains the state tuberculosis registry.

Hansen's Disease Institutional Services Branch. The Hansen's Disease Institutional Services Branch provides consultative, managerial, coordinating, monitoring, and educational services to health care providers that provide services to Hansen's Disease outpatients and their high risk contacts. The Branch oversees medical and facility operations at Kalaupapa and at Hale Mohalu Hospital at Leahi on Oahu.

Dental Health Division

The Dental Health Division develops public policy to help assure adequate access to basic dental care through the development and implementation of early detection, disease prevention, and treatment programs targeting high-risk populations.

Dental Hygiene Branch. The Dental Hygiene Branch develops, produces, provides, and maintains dental health promotion and education materials and programs and teaching curricula addressing the needs of Hawaii's populations at highest risk for severe, chronic dental disease.

Hospital and Community Dental Services Branch. The Hospital and Community Dental Services Branch provides dental evaluation and treatment services to clients residing in facilities operated by the Department, including Kalaupapa Settlement, Hawaii State Hospital, and Waimano Training School and Hospital, and clients that are community-based from these facilities. Services are primarily targeted to accommodate indigent severe mental health developmentally disabled and medically compromised, frail elderly clients.

Emergency Medical Services and Injury Prevention System

The Emergency Medical Services and Injury Prevention System is responsible for expansion and enhancement of the State Comprehensive Emergency Medical Services System with the mission "to minimize death, injury, and disability due to life threatening conditions by assuring the availability of quality emergency medical care and injury prevention statewide. The Branch is also responsible for disaster coordination and disaster preparedness response for health care services.

COUNTY OF KALAWAO

The County of Kalawao consists of that portion of the island of Molokai known as Kalaupapa, Kalawao, and Waikolu, commonly known as the Kalaupapa Settlement. As a county, it has only the powers especially conferred by sections 326-34 to 326-38, Hawaii Revised Statutes. None of the provisions of the Hawaii Revised Statutes regarding counties are deemed to be applicable to Kalawao.

The County of Kalawao is under the jurisdiction of the Department of Health. It is governed by the laws and rules relating to the Department and the care and treatment of persons with Hansen's disease.

Sheriff. The Sheriff is the only county officer of Kalawao. The Sheriff is generally a resident of the County appointed by the Department of Health.

Attached for Administrative Purposes

State Health Planning and Development Agency

The State Health Planning and Development Agency (SHPDA), established under section 323D-11, Hawaii Revised Statutes, is the State's health planning and resources development program. Its purpose is to promote accessibility for all the people of the State to quality health care services at reasonable cost. The Agency partners with communities statewide and the private sector health care industry to design Hawaii's health care future. Program objectives are: to develop and maintain the State's Health Services and Facilities Plan (HSFP -- also known as the Hawaii Health Performance Plan -- H2P2) to guide development of Hawaii's health care industry; coordinate and staff community health councils that focus on collaborative health needs assessment and achieving health outcomes projects; administer the certificate of need program per the parameters of the HSFP; and collect and report health industry data.

Statewide Health Coordinating Council. The Statewide Health Coordinating Council is advisory to the State Health Planning and Development Agency under section 323D-13, Hawaii Revised Statutes. There are up to twenty members of the Council appointed by the Governor with consent of the Senate plus one ex officio member from the Veterans Administration.

Office of Environmental Quality Control

The Office of Environmental Quality Control (OEQC), established under section 341-3, Hawaii Revised Statutes, and headed by the Director of Environmental Quality Control, reviews environmental assessments and impact statements, to assure compliance with chapter 343, Hawaii Revised Statutes, and Chapter 11-200, Hawaii Administrative Rules, and informs the public of the availability of documents through the semi-monthly OEQC Bulletin to facilitate the required public review.

The Office works to assist in restoring, protecting, and enhancing the natural physical environment of the State by stimulating, expanding, and coordinating efforts of government agencies, industrial groups, and citizens.

Environmental Council

The Environmental Council, also established under section 341-3, Hawaii Revised Statutes, consists of fifteen members appointed by the Governor with the advice and consent of the Senate. The Director of Environmental Quality Control serves as an ex officio voting member of the Council. The Council Chairperson is elected by the Council from among its members. Members are appointed to assure a broad representation of educational, business, and environmentally pertinent disciplines and professions. Pursuant to section 341-6, Hawaii Revised Statutes, the Council serves as a liaison between the Director and the public on matters concerning ecology and environmental quality.

Disability and Communication Access Board

The Disability and Communication Access Board, established under section 348E-2, Hawaii Revised Statutes, is composed of seventeen members appointed by the Governor with the advice and consent of the Senate, including at least nine persons with various disabling conditions, or their parents or guardians, and at least one resident from each of the counties of Honolulu, Hawaii, Maui, and Kauai. Among its functions, the Board reviews plans for the construction of state and county buildings, facilities, and sites; credentials sign language interpreters who do not possess national certification; administers the statewide program for parking for persons with disabilities; serves as the state coordinator for the Americans with Disabilities Act; advises the State and counties on matters affecting persons with disabilities, including existing civil rights laws and compliance, as well as proposed legislation; and serves as a public advocate of persons with disabilities.

Special Parent Information Network. The Special Parent Information Network, within the Disability and Communication Access Board, encourages parent-to-parent communication among parents of children with special needs and provides information, referral, and support.

Developmental Disabilities Council

The Developmental Disabilities Council, established under the federal Developmental Disabilities Assistance and Bill of Rights Act and chapter 333E, Hawaii Revised Statutes, consists of members appointed by the Governor with the advice and consent of the Senate. Sixty per cent of the membership must be individuals with developmental disabilities or family members; other members must represent principal state agencies, the Center for Excellence, the state protection and advocacy agency, and nongovernmental agencies concerned with services to people with developmental disabilities. The Council engages in systems change, capacity building and advocacy activities that demonstrate new approaches to services, supports, and assistance, informs federal, state, and local policy makers, trains individuals with developmental disabilities, their families and staff, fosters interagency collaboration and coordination, eliminates barriers and enhances the design and redesign of systems, develops and supports coalitions, and educates the public. The state plan developed by the Council serves as a guide for the development and delivery of all services to individuals with developmental disabilities.

Hawaii Health Systems Corporation

The Hawaii Health Systems Corporation (HHSC), is a public benefit corporation, the nation's fourth largest public hospital, with over 1,200 staffed beds in twelve facilities, located in five different regions:

- East Hawaii -- Hilo Medical Center, Hale Ho'ola Hamakua, and Ka'u Hospital;
- West Hawaii -- Kona Community Hospital and Kohala Hospital;
- Maui -- Maui Memorial Medical Center, Kula Hospital, and Lanai Community Hospital;
- Oahu -- Leahi Hospital and Maluhia; and
- Kauai -- Kauai Veterans Memorial Hospital and Samuel Mahelona Memorial Hospital.

HHSC provides acute, long-term, rural health care. Patient care at HHSC is marked by two defining characteristics:

- HHSC offers many types of complex, highly specialized health care services, including neurosurgery, medical oncology, sleep disorder lab, and renal dialysis.
- HHSC is the largest health provider for Neighbor Island residents and the primary provider of care to low-income, uninsured, and underserved populations.

Across Hawaii, residents, Neighbor Island visitors, and thousands of tourists rely on HHSC's advanced medical expertise. In many cases, an HHSC facility is the "hospital of last resort," providing care and treatment and serving those who cannot afford to pay.

Executive Office on Aging

The Executive Office on Aging (EOA), established under chapter 349, Hawaii Revised Statutes, is the leader relative to all aging issues on behalf of older persons in the State. The EOA's primary mission is the well being of the State's 201,000 older adults (sixty years of age and older) and their family caregivers. It provides leadership in programs for older adults, helps formulate aging policy, serves as a clearinghouse for information, and partners with the Aging Network to provide home and community based care for frail, vulnerable seniors.

DEPARTMENT OF HUMAN RESOURCES DEVELOPMENT

The Department of Human Resources Development, established under section 26-5, Hawaii Revised Statutes, administers the state human resources program for the executive branch permanent (civil service) workforce. The Department is headed by the Director of Human Resources Development. As the central human resources department of the executive branch, the Department formulates and implements classification plans, compensation plans, recruiting and text administration services, employee benefit plans, safety and workers compensation plans, pay administration and labor-management relations, and manager-employee performance and development programs.

With the passage of Act 253, Session Laws of Hawaii 2000, the Department is charged with modernizing the provisions, administrative rules, and personnel policies governing the civil service for the State's executive branch. Implementation of these become effective July 1, 2002, or sooner, as allowed by Act 253. To effectuate major changes to existing human resources processes, the Department is undergoing a phased reorganization at this writing. Six divisions have been streamlined to four to obtain greater program integration and efficiencies. Due to ongoing reorganization, the program functions described herein are subject to refinement. Many aspects of Act 253 also impact the personnel systems of the other public jurisdictions in Hawaii, and the Director is charged with coordinating with the jurisdictions as necessary.

Office of the Director

The Director advises the Governor on all human resource matters pertaining to the State's executive branch personnel system, legislative proposals on personnel issues, and personnel rules. The Director represents the Governor in contract negotiations (as the State's employer-representative), in periodic pricing reviews, and necessary coordination between the public jurisdictions in Hawaii. Although Act 253 enacted greater flexibilities for the State and the counties to tailor their human resources policies to suit their emerging or specific needs, the close linkage of programs and benefits among the State, counties, and judiciary jurisdictions for policy consistency is still unique among the states.

To continuously improve the effectiveness and responsiveness of human resources, the Director serves to ensure public access and input to the State's civil service system. The Director represents the public interest in the administration of the civil service and fosters the participation of interested learning institutions and civic, professional, business, and employee organizations in the advancement of governmental personnel policies to meet the challenges of a changing island society. By statute, the Director's Office also administers the unemployment compensation program for former state employees.

Employee Relations Division

The roles of this new Division are to design, plan, and administer statewide programs and services, which help to attract, retain, and maximize the productivity of competent employees during the course of their state employment. Such programs include the negotiation, administration, and enforcement of labor-management agreements; provision of consulting services to managers regarding performance management issues; the design and administration of a systematic performance appraisal system; and the development and administration of various employee benefit programs. Additionally, the Division is responsible for the development and administration of a statewide training and employee development program to foster a productive workforce; administration of a statewide safety and accident prevention program; the accurate processing of pay and personnel transactions; and the development and administration of an automated human resources information system.

Excluded / E.M.C.P. / Exempt Division

This newly crafted Division develops and administers statewide human resource programs for employees and managers excluded from collective bargaining, and the exempt service not covered by civil service. Responsibilities include the development of proactive performance, employee/management development, and pay plans for those who are not in a collective bargaining unit. The Division develops and maintains a variable pay program for managers in the Excluded Managerial Compensation Plan. It is also responsible for the design and administration of the Management Certification Program, which serves to develop top-level state managers.

Workforce Planning and Development Division

This Division integrates recruitment, examination, classification, and compensation functions into one unit. The integration of these programs will mean quicker and better customer support to the departments in the filling of vacancies. The Division will conduct statewide workforce planning, forecasting, and needs analyses to effectuate better staffing strategies before these become acute. The Division additionally will offer consultative advisory services. It also researches, develops, and implements strategies to attract and retain efficient and effective employees by competitively filling positions, by developing new and improving on existing classification systems to classify positions quickly and responsively, and by conducting studies and developing and implementing pay and alternate programs to compensate employees appropriately. The Division is also responsible for reduction-in-force activities and placement services for employees participating in the State's return-to-work program. (See State Workers' Compensation Division.)

State Workers' Compensation Division
(Hawaii State Workers' Compensation Self-Insured Program)

The State Workers' Compensation Division plans and administers a consolidated statewide workers' compensation program that integrates professional benefit claims management, cost containment, vocational rehabilitation, and a return-to-work program for formerly injured state employees. (Some departments receive specific funds to administer their own workers' compensation program and handle their own benefit administration.) This Division handles the centralized program for the executive branch and for other jurisdictions as possible. It also reviews medical fees of care providers and attorneys, analyses cost trends, and provides uniform interpretations or policies in accordance with auditing practices of the State Department of Labor and Industrial Relations.

Attached for Administrative Purposes

Board of Trustees Deferred Compensation Plan. Administers a tax-sheltered savings and investment program for state employees with authority to engage services to establish, administer, or maintain the Plan under its direction.

Merit Appeals Board. Effective July 1, 2002. Section 26-5(c), Hawaii Revised Statutes, establishes a new three-member appointed appellate board that accepts and hears all appeals from departments, civil service job applicants, and employees regarding recruitment, examination, classification, discipline, suspension, dismissals, and other civil service related actions taken by the Department of Human Resources Development. (The State Civil Service Commission was sunset by Act 253, effective June 30, 2002.)

Public Employees Compensation Appeals Board. (Sunset by Act 253, effective June 30, 2002.)

DEPARTMENT OF HUMAN SERVICES

The Department of Human Services, established under section 26-14 and specifically provided for in chapter 346, Hawaii Revised Statutes, is headed by the Director of Human Services. The Department's mission is to direct its resources toward protecting and helping those least able to care for themselves and to provide services designed toward achieving self-sufficiency for clients as quickly as possible. The Department is committed to maintaining a high level of quality, efficiency, and effectiveness in its services.

Benefit, Employment, and Support Services Division

The Benefit, Employment, and Support Services Division provides monthly benefits to assist eligible clients with such essentials as food, clothing, shelter, and child care, as well as employment and job training to help families attain self-sufficiency. Monthly cash benefits are provided to individuals and families through the Temporary Assistance to Needy Families (TANF), Temporary Assistance to Other Needy Families (TAONF), General Assistance, and Assistance to the Aged, Blind, and Disabled programs. The Food Stamp program helps to ensure that no one goes to bed hungry. Child care subsidies are provided to financially needy families if they work or are attending school or training to become self-sufficient. The Division licenses child care providers to ensure the health and safety of the children being cared for.

Med-QUEST Division

The Med-QUEST Division administers the State's Medicaid program through which health care is provided to the low-income population. The Medicaid program is jointly financed by the State of Hawaii and the federal government. Health care coverage is provided through either managed care or fee-for-service payments to health care providers or contracts with managed care plans. The State's Children Health Insurance Program (S-CHIP) was established with Tobacco Settlement Funds to expand health coverage to more children whose families may be working but do not earn enough to pay for health coverage for their children. The Division monitors services to ensure appropriateness and quality care.

Social Services Division

The Social Services Division provides social services programs to ensure the health and safety of those least able to protect themselves from abuse and neglect. The Child Welfare Services program provides services to ensure the safety and permanency of children in their own homes or, when necessary, in out-of-home placements. The program is community-based and neighborhood-focused with partnerships and collaboration with the private and public sectors. Services are focused on empowering families and building upon family strengths. When children cannot be safely returned to the family, the Child Welfare Services program proceeds with permanent placement through adoption, legal guardianship, or other substitute long-term care, including independent living. The program also licenses foster families, boarding homes, group homes, and child-placing organizations.

The Adult Protective Services program provides crisis intervention, including investigation and emergency services to dependent adults who are reported to be abused, neglected, or financially exploited by others or seriously endangered due to self-neglect.

The Home and Community-Based Services program provides comprehensive home and community-based services to disabled adults and children to enable them to live in their homes or in the community as long as possible to prevent premature institutionalization.

Vocational Rehabilitation and Services for the Blind Division

The Vocational Rehabilitation and Services for the Blind Division administers programs that provide rehabilitation services to assist eligible persons with disabilities to secure employment and to lead full and independent lives. The Vocational Rehabilitation (VR) program offers vocational evaluation, planning, counseling, treatment, training, job placement, and follow-up services to persons with physical or mental disabilities to enable them to become employed. The economic benefits of the VR program include increased earnings and purchasing power, increased tax revenues, and decreased dependency on public assistance.

The Services to the Blind program, called Ho`opono, enables visually impaired adults to attain maximum vocational and functional independence by providing varied services including vocational, counseling, assistive technology, and social and independent living skills training. Persons with visual impairment are also assisted in establishing and operating vending facilities.

The Disability Determination program determines eligibility for Social Security Disability Insurance and Supplemental Security Income benefits under the federal Social Security program.

Attached for Administrative Purposes

Office of Youth Services

The Office of Youth Services (OYS) develops and provides a continuum of services for youth at risk to prevent delinquency and to reduce recidivism through prevention, rehabilitation, and treatment services. Youth's needs, from prevention to incarceration to aftercare, are addressed through programs such as the Youth Service Centers, the Youth Gang Response System, Ho`okala Adolescent Diversion as an alternative to incarceration through immediate intervention services, non-residential and in-community aftercare services to prevent further incarceration, and community-based residential services as an alternative to incarceration. The OYS also manages and operates the Hawaii Youth Correctional Facility to provide safe and secure housing for the most violent and dangerous juvenile offenders. Incarcerated youth are provided counseling, treatment, and educational services for redirection and rehabilitation.

DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS

The Department of Labor and Industrial Relations (DLIR), established under section 26-20 and specifically provided for in chapter 371, Hawaii Revised Statutes, is headed by the Director of Labor and Industrial Relations. DLIR administers programs to improve job opportunities with job training and placement programs that both benefit employees and employers; protect the employment rights of workers; assure workers of a safe and healthy working environment; and ease the economic hardship of workers during disability or temporary unemployment.

Disability Compensation Division

The Disability Compensation Division administers employee benefit programs to help workers who suffer from on-the-job or off-the-job injuries and illnesses.

Workers' Compensation: On-the-Job Injury/Illness. The workers' compensation law, established under chapter 386, Hawaii Revised Statutes, is an employer-paid insurance program that protects workers from hardships caused by on-the-job injuries and illnesses. Workers' compensation replaces lost income (up to two-thirds of an employee's average weekly wage, not to exceed the State's average wage), and pays for medical care and rehabilitation costs. It may also compensate employers for disability and/or disfigurement and provide death benefits to dependents.

Temporary Disability Insurance: Off-the-Job Injury/Illness. Employees who are unable to work due to an off-the-job injury or illness may receive income replacement benefits through employer-provided Temporary Disability Insurance (TDI), established under chapter 392, Hawaii Revised Statutes, or through an approved sick leave plan. TDI replaces 58 per cent of the worker's average pay after the seventh day of disability. Employers may require employees to contribute up to one-half of the TDI premium cost, not to exceed 0.5 per cent of their weekly wages.

Prepaid Health Care. Hawaii was the first state to adopt an innovative Prepaid Health Care law, chapter 393, Hawaii Revised Statutes. This law sets minimum standards of health care coverage and requires employers to provide eligible employees with a health care plan to pay for medical costs related to off-the-job injuries and illnesses. Coverage includes hospitalization, surgery, office visits, diagnostic tests, and maternity benefits. Employees may be required to contribute up to one-half the premium cost, or 1.5 per cent of their monthly wages, whichever is less.

Unemployment Insurance Division

The Unemployment Insurance Division (UI) administers Hawaii's unemployment insurance program, the Hawaii Employment Security law, chapter 383, Hawaii Revised Statutes. The UI program enables eligible unemployed workers to partially replace lost income for up to 26 weeks, while seeking work. UI benefits are paid from a trust fund financed by employers. Each employer's tax rate is based on prior experience with unemployment risk ("experience rating") plus a surtax related to the balance of the UI trust fund.

Employment Security Appeals Referees' Office

The Employment Security Appeals Referees' Office rules on employment security (unemployment compensation) appeals. Referees' decisions may be appealed directly to the courts.

Enforcement Division

The Enforcement Division coordinates and implements a statewide program to administer and enforce labor laws related to the following:

- (1) Minimum wage and overtime: The minimum wage is \$5.75 per hour effective January 1, 2002, and \$6.25 per hour effective January 1, 2003. Overtime is 1.5 times the regular rate, with some exceptions.
- (2) Wages: Wages must be paid at least twice a month, within seven days after the end of the pay period. Discharged employees must be paid immediately or by the next working day. Employees who resign must be paid by the next regular payday.
- (3) Wages of employees of public works projects: Laborers and mechanics on governmental construction projects in excess of \$2,000 must be paid prevailing wages and overtime.
- (4) Child labor work permits: Prior to employment, minors under 18 years of age must register for a certificate. Depending upon the minor's age, there are some restrictions on the type of occupation and work hours.
- (5) Unlawful suspension or discharge: An employee cannot be suspended, discharged, or discriminated against because of a work injury, garnished wages, or bankruptcy.
- (6) Lie detector tests: Polygraph tests as a condition of employment are illegal.
- (7) Job application fees: Charging job applicants a processing fee is illegal.

Hawaii Occupational Safety and Health Division

The Hawaii Occupational Safety and Health (HIOSH) Division assures the safety and health of workers at all workplaces. HIOSH inspectors may enter a workplace without advance notice to check for hazardous conditions and to investigate workers' complaints and serious accidents. Federal law requires penalties on first instance violations.

HIOSH offers free confidential on-site consultation and training to help employers identify and eliminate job-related hazards. HIOSH maintains a comprehensive library of safety and health materials with a free audit visual loan program as well as a website.

HIOSH also inspects boilers and pressure vessels, elevators, escalators, amusement rides, and other automated people movers.

Workforce Development Division

The Workforce Development Division (WDD) plans, directs, coordinates, and implements a customer-driven statewide workforce development system which delivers employment and training services to job applicants, workers, and industry throughout the State. WDD provides a free referral and placement service that matches workers with jobs, and jobs with workers. For employers, WDD offers job-ready applicants in almost every occupation. WDD screens and refers qualified job seekers, helps employers meet affirmative action plan goals, provides facilities for mass recruitment, and processes job orders through the computerized Job Bank.

The apprenticeship program in WDD works with employers, labor unions, and schools to produce skilled workers through on-the-job training programs. Apprentices are trained in many occupations, including construction, welding, auto mechanics, and body repair.

WDD also administers employment and training programs, including the federal Workforce Investment Act (WIA). WIA offers remedial education, job training, and employment assistance to target groups (low income adults and youth, and dislocated workers). WDD oversees WIA in partnership with local governments and workforce investment boards.

Research and Statistics Office

The Research and Statistics Office (R&S) provides research and statistical services to departmental programs in their formulation of economic policies and program delivery. R&S also conducts occupational and labor market research such as in the areas of employment and unemployment, occupational outlook, wages, and mass layoffs. R&S also administers the Career Kokua program, a statewide career information delivery system to provide career, job, occupational, educational, and training information to youths, adults, and jobseekers.

Attached for Administrative Purposes

Hawaii Workforce Development Council

The Hawaii Workforce Development Council (WDC), established under chapter 202, Hawaii Revised Statutes, has thirty-one members, the majority of whom are from the private sector, including the Chairperson, and are appointed by the Governor. The remaining members are five state agencies, four state legislators, two county mayors, the Governor's representative, two labor union members, and a representative from a native Hawaiian workforce organization. WDC advises the Governor, Legislature, counties, and state officials about workforce, employment, related education and training, and economic issues affecting the workforce, career development, and technology skills. WDC also serves as the State Board under the federal Workforce Investment Act, Public Law 105-220.

Hawaii Labor Relations Board

The Hawaii Labor Relations Board, established under section 89-5, Hawaii Revised Statutes, is composed of three members, one who represents management, one who represents labor, and the third member, the Chair, who represents the public. All members are appointed by the Governor to six-year terms. Among its duties, the Board resolves disputes concerning the designation of appropriate bargaining units under section 89-6, Hawaii Revised Statutes; resolves disputes concerning cost items; supervises elections for the determination of employee representation; conducts proceedings on prohibited practice complaints by employers, employees, and employee organizations; and establishes lists of qualified persons to serve as mediators, members of fact-finding boards, or arbitrators.

Labor and Industrial Relations Appeals Board

The Labor and Industrial Relations Appeals Board, established under section 371-4, Hawaii Revised Statutes, is composed of three members appointed by the Governor, with the advice and consent of the Senate, to ten-year terms. The Governor designates the Chairperson who is an attorney. The Board rules on appeals from decisions and orders of the Director of Labor and Industrial Relations issued under the workers' compensation law and any other law for which an appeal to the Board is provided by law.

Office of Community Services

Programs coordinated through the Office of Community Services, established under section 371K-2, Hawaii Revised Statutes, include: the Progressive Neighborhoods Program, the Hawaii Office of Economic Opportunity, the Refugee Resettlement Program, and the State Immigrant Services Center.

Fire Council

The Fire Council, established under section 132-16, Hawaii Revised Statutes, consists of the fire chiefs of the counties. In addition to adopting a State Model Fire Code pursuant to section 132-3, Hawaii Revised Statutes, the Council serves as the focal point through which all applications to the federal government for grant assistance for fire-related projects are made. The Council may advise and assist county fire departments where appropriate; prescribe standard procedures and forms relating to inspections, investigations, and reporting of fires; and advise the Governor and Legislature with respect to fire prevention and protection, life safety, and any other functions or activities for which the various county fire departments are generally responsible.

Civil Rights Commission

The Civil Rights Commission, established under section 368-2, Hawaii Revised Statutes, is composed of five members appointed by the Governor with the advice and consent of the Senate. The Governor designates one of the Commissioners as Chairperson of the Commission. Under section 368-3, Hawaii Revised Statutes, the Commission has the power to: receive, investigate, and conciliate complaints alleging any unlawful discriminatory practice under chapter 489 (discrimination in public accommodations), chapter 515 (discrimination in real property transactions), part I of chapter 378 (discrimination in employment practices), and complaints filed under chapter 368, Hawaii Revised Statutes; hold hearings and make inquiries to carry out properly its functions and powers; commence civil action in circuit court to seek appropriate relief; issue the right to sue to a complainant; and order appropriate legal and equitable relief or affirmative action when a violation is found.

DEPARTMENT OF LAND AND NATURAL RESOURCES

The Department of Land and Natural Resources (DLNR), established under section 26-15, Hawaii Revised Statutes, and whose jurisdiction is detailed in chapter 171, Hawaii Revised Statutes, is headed by the Board of Land and Natural Resources. DLNR manages the State's public lands and the water and mineral resources on those lands. It also manages the State's aquatic life and wildlife resources, forest reserves, state parks, and small boat harbors, and administers the state conservation districts and the endangered species, natural area reserves, boating and ocean recreation, and historic preservation programs. The Department develops and enforces rules on conservation and resources. It also provides a central repository for all instruments of conveyances.

Board of Land and Natural Resources

The Board of Land and Natural Resources, generally provided for in the State Constitution, Article XI, section 2, and specifically provided for in sections 26-15 and 171-4, Hawaii Revised Statutes, is vested with powers for the management of natural resources owned or controlled by the State, and their disposition as may be provided by law. The Board is composed of seven members, one from each land district and three at-large, appointed by the Governor with the advice and consent of the Senate. The Governor appoints the Chairperson of the Board from among its members. The Chairperson serves as the chief executive officer of the Department.

Bureau of Conveyances

The Bureau of Conveyances, under chapter 502, Hawaii Revised Statutes, is responsible for maintaining accuracy in record keeping and for eliminating errors in land title registration. It maintains comprehensive records of documents regarding land titles and makes copies of land records available to various agencies and individuals. Certificates of title on registered land issued by the Bureau are guaranteed by the State against the loss, damage, or deprivation of land, estate, or interest in the land, arising through the fault of the assistant registrars in the performance of their duties. Hawaii is the only state in the nation with a single statewide recording office.

Aquatic Resources Division

The Aquatic Resources Division manages Hawaii's marine and freshwater resources through programs in commercial fisheries; aquatic resources protection, enhancement, and education; and recreational fisheries. Major programs include projects to manage commercial fisheries on a sustainable basis, protect native and resident aquatic species and their habitats, and provide facilities and opportunities for recreational fishing.

Division of Boating and Ocean Recreation

The Division of Boating and Ocean Recreation manages the State's small boat harbors and statewide ocean recreation and coastal area programs pertaining to the ocean waters and navigable streams of the State. The Division provides permits for ocean recreation events such as yacht races, canoe regattas, surfing, and board sailing contests. The Division also regulates commercial activities such as thrill craft operations and competing ocean recreation activities in nearshore waters.

Division of Conservation and Resource Enforcement

The Division of Conservation and Resource Enforcement is responsible for enforcing all state laws relating to conservation and resources. The Division, with full police powers, enforces all state laws and rules involving state lands, state parks, historical sites, forest reserves, aquatic life and wildlife areas, coastal zones, conservation districts, shorelines, and small boat harbors.

Division of Forestry and Wildlife

The Division of Forestry and Wildlife is responsible for the management of state-owned forests, natural area reserves, public hunting areas, and plant and wildlife sanctuaries. Responsibility is statewide for watershed and endangered species protection, wildland fire suppression, public trails and access, and game management programs. Cooperative natural resource programs are also planned and implemented on privately owned forest lands through natural area partnerships, forest stewardship programs, urban forestry projects, and other agreements.

Land Division

Planning Branch. The Planning Branch's mandate is to ensure environmentally responsible regulatory management of lands within the State of Hawaii Conservation District. The State of Hawaii Conservation District includes almost half the State's total land area, as well as all nearshore waters classified as submerged state land.

The State has both public and private lands classified as conservation lands. It is the Planning Branch's responsibility to act as the zoning authority for proposed and ongoing activities on both public and private lands classified as conservation. To accomplish this task, the Planning Branch coordinates the actions of the many agencies within the Department to regulate activities on Conservation District lands.

The Planning Branch also has the responsibility to develop land management policy. Under the direction and supervision of the Land Division administration, the Planning Branch

develops departmental policy regarding the State's resources. For example, the Hawaii Coastal Erosion Management Plan is intended to guide both governmental and non-governmental stakeholders in making decisions on managing Hawaii's coastal lands.

The Coastal Lands Program, developed within the Planning Branch, implements the Hawaii Coastal Erosion Management Plan. It also conducts environmental, economic, and engineering studies of Hawaii's precious shoreline areas. The Coastal Lands Program acts as the lead state agency in the development and implementation of shoreline restoration and protection projects.

The Planning Branch works with other sectors of government such as federal, county, and other state agencies. The Land Division articulates DLNR's position on possible environmental impacts of proposed projects and actions by federal, county, and other state agencies on Conservation District Lands.

Engineering Branch. The Engineering Branch administers the State's programs in water resource planning, mineral resources assessment, geothermal development, flood control and prevention, dam safety, and soil and water conservation. The Branch also provides engineering services to other DLNR divisions.

State Historic Preservation Division

The State Historic Preservation Division works to preserve reminders of earlier times which link the past to the present. The Division strives to accomplish this goal through maintaining an inventory of historic properties, administering the historic preservation review process, providing economic incentives, supporting five island burial councils, developing public information and education projects, and conducting preservation planning.

Division of State Parks

The Division of State Parks is responsible for the administration of the State Park System and the State's recreation planning program. The Division plans, constructs, operates, and maintains state park facilities, and measures the compliance of concessionaires with its program requirements. Basic activities are divided between two programs of the state budgeting system: Heritage and Recreation Parks, and General Administration for Culture and Recreation.

Attached for Administrative Purposes

Commission on Water Resource Management

The Commission on Water Resource Management, established under section 174C-7, Hawaii Revised Statutes, has exclusive jurisdiction in all matters relating to the implementation and administration of the State Water Code, chapter 174C, Hawaii Revised Statutes. The

Commission consists of six members, including the Chairperson of the Board of Land and Natural Resources who serves as Chairperson of the Commission, and the Director of Health who serves as an ex officio voting member. The four remaining members are appointed by the Governor, subject to confirmation by the Senate, from a list submitted by a nominating committee. The nominating committee is composed of four individuals chosen as follows: two persons appointed by the Governor; one person appointed by the President of the Senate; and one person appointed by the Speaker of the House. The committee solicits applications and sends to the Governor the names of at least three individuals for each open position.

Animal Species Advisory Commission

The Animal Species Advisory Commission, established under section 197-2, Hawaii Revised Statutes, may advise the Board of Land and Natural Resources on every proposal for the deliberate introduction of aquatic life and wildlife by the Department into any habitat within the State. The Commission may also advise the Board on any matter affecting the taking and conservation of aquatic life and wildlife including proposed rules.

The Commission consists of thirteen members appointed by the Governor: the Chairperson of each Aquatic Life and Wildlife Advisory Committee established in each of the counties under section 197-4, Hawaii Revised Statutes; three members of the Department designated by the Chairperson of the Department, one each from the professional fields of aquatic life, wildlife, and conservation and resources enforcement; and six scientists in the fields of botany, mammalogy, ichthyology, entomology, ornithology, and invertebrate zoology.

Hawaii Historic Places Review Board

The Hawaii Historic Places Review Board, established under section 6E-5.5, Hawaii Revised Statutes, holds public hearings and places historic properties into the Hawaii Register of Historic Places on the basis of their value to Hawaii's heritage, and recommends the nomination of historic properties to the National Register of Historic Places. The Board may also hear appeals of departmental historic preservation decisions.

The Board consists of ten members appointed by the Governor, including two professionally qualified members from each of the disciplines of archaeology, architecture, history, and sociology, and one member knowledgeable in traditional Hawaiian society and culture.

Natural Area Reserves System Commission

The Natural Area Reserves System Commission, established under section 195-6, Hawaii Revised Statutes, conducts studies of areas for possible inclusion within a reserves system and recommends criteria for the determination of suitability for inclusion within the reserves system. The Commission also recommends policies for the control and use of reserves system areas and

advises the Governor and the Department on matters relating to the preservation of unique natural resources.

The Commission consists of thirteen members, six of whom possess qualifications in wildlife or marine biology, botany, forestry, ecology, resource management, biogeography, zoology, or geology; one member has membership in a hiking organization organized in the State, and one member has membership in a hunting organization organized in the State. The remaining five members are the Chairperson of the Board of Land and Natural Resources, the Superintendent of Education, the Director of Business, Economic Development and Tourism, the Chairperson of the Board of Agriculture, and the President of the University of Hawaii, who serve as ex officio voting members. The Chairperson is appointed by the Governor from among the appointed members of the Commission.

Kahoolawe Island Reserve Commission

The Kahoolawe Island Reserve Commission, established under section 6K-5, Hawaii Revised Statutes, is empowered with jurisdictional oversight of the management and restoration of Kahoolawe. The Commission establishes criteria, policies, and controls for permissible uses within Kahoolawe. The Commission also provides the Governor and the Department with advice on any matter relating to Kahoolawe. The seven members, who are appointed by the Governor with the advice and consent of the Senate, include the Chairperson of the Board of Land and Natural Resources, a member of the Protect Kahoolawe Ohana, a trustee or representative of the Office of Hawaiian Affairs, a county official appointed by the Governor from a list provided by the Mayor of Maui, two members appointed by the Governor from a list provided by the Protect Kahoolawe Ohana, and one member appointed by the Governor from a list provided by native Hawaiian organizations. The Governor appoints the Chairperson from among the Commission members.

DEPARTMENT OF PUBLIC SAFETY

The Department of Public Safety, established under section 26-14.6, Hawaii Revised Statutes, is headed by the Director of Public Safety. The Department provides a statewide system for the safety of people from crimes, and for offender management to Hawaii's criminal justice system among the police, prosecutors, courts, corrections, parole, and other public safety agencies. The Department's mission statement is: "to provide for the safety of the public and state facilities through law enforcement and correctional management." The Department is committed to reflecting the following principles in its daily decisions and actions:

- Safety: providing a safe and healthy environment for staff and offenders;
- Efficiency: providing quality services that are cost effective;
- Professionalism: upholding the integrity of our profession;
- Empowerment and accountability: commitment to self-development for staff as well as offenders, while accepting responsibility for our own decisions and actions, and recognizing our relative responsibility for others;
- Loyalty: supporting each other and what we stand for; and
- Respect and humane treatment: recognizing and respecting the diversity of all individuals and treating all people -- staff and offenders -- with dignity and respect

Administration Division

Through its Administration Division, the Department achieves its mission by planning, evaluating, and monitoring expenditures; planning and implementing capital improvement projects; providing statistical data on inmate populations; managing the procurement of goods and services; administering a statewide training program for uniformed and non-uniformed employees; providing personnel services, management information, and administrative policies and procedures; and enforcing civil rights compliance.

Law Enforcement Division

Through its Law Enforcement Division, the Department preserves the peace and protects the public in designated areas by providing security for state property and facilities and enforcing specified laws and rules for the prevention and control of crime.

Protective Services Division. This Protective Services Division provides for the security and safety of all persons -- employees and the public -- within the buildings and upon the premises under its control. Its officers are responsible for the arrest and legal processing of

violators of statutes committed within their presence or under probable cause situations authorized by law. The Division also cooperates and coordinates with other enforcement agencies in matters of mutual concern involving public safety and the apprehension and detention of law violators.

Narcotics Enforcement Division. The Narcotics Enforcement Division provides for public protection and safety through the promotion of voluntary compliance with the Uniform Controlled Substances Act, chapter 329, Hawaii Revised Statutes, and the investigation and apprehension of violators of prohibited acts under provisions of the Uniform Controlled Substances Act and part IV (offenses related to drugs and intoxicating compounds), chapter 712 (offenses against public health and morals), Hawaii Revised Statutes.

Sheriff Division. The Sheriff Division provides for public safety in three areas: (1) providing security to all persons and property within and on the premises controlled by the Judiciary of the State of Hawaii; (2) providing expeditious service and execution of all court papers and/or orders assigned to the Division; and (3) responding to requests under statutory authority for assistance in matters concerning public safety.

Executive Protection Unit. Through the Executive Protection Unit, dignitary protection is provided to the Governor and Lieutenant Governor and their families, and to members of the legislature, judges, visiting officials, and others as assigned.

Corrections Division

Through its Corrections Division, the Department provides for the care and custody of all persons committed by the courts or detained pending judicial disposition of criminal charges; for the supervision and monitoring of persons released from confinement upon proper authority; and for services which enable such persons to acquire skills necessary for them to function in the general community in a law-abiding manner.

Institutions Division. The Institutions Division's primary responsibilities are to provide an effective offender management and service delivery system commensurate with the needs of the offender, the institutions, and the public. This includes the need to provide a secure, humane, safe, and constructive environment for the custodial care of offenders, and meaningful programs and services that are beneficial to the offenders. The Division maintains facilities and programs for the detention of adults pending judicial decisions, and redirects adults sentenced to incarceration.

Intake Service Centers Division (ISCD). The Intake Service Centers Division is responsible for admission and release screening, pretrial, presentence, post-sentence, and related investigations and evaluations of all offenders. The ISCD also provides supervision to offenders placed in conditional release programs by the courts. The Division provides social, physical, and mental health screening and assessments of offenders for diversionary purposes, and identifies custody and care needs of the offender population.

Corrections Program Services Division. The Corrections Program Services Division delivers a range of services and resources that provides offenders with opportunities to develop skills and abilities necessary for them to function in the community in a productive, law-abiding manner. Various correctional programs provide education, vocational training, work opportunities, substance abuse and sex offender treatment, and counseling.

Health Care Services Division. The Health Care Services Division attends to the medical, dental, and mental health needs of all persons under the jurisdiction of the Department. It also ensures that meals served meet recognized nutritional standards, and that measures are taken to prevent the outbreak and spread of illness and/or disease.

Correctional Industries Division. Correctional Industries provides comprehensive work programs for all qualified, able-bodied inmates. These programs are mandated to: generate revenue to sustain their operation and allow for capital investment; provide specific training skills for offenders that increase their employment prospects when they return to their community; provide a maximum level of work for all qualified, able-bodied inmates; provide an environment for the operation similar to that of a private business operation; encourage cooperative training ventures with the private sector; and provide low-cost construction, renovations, and repairs of facilities for government agencies and non-profit organizations.

Agencies Attached for Administrative Purposes

Hawaii Paroling Authority

The Hawaii Paroling Authority, established under section 353-61, Hawaii Revised Statutes, serves as the central paroling authority for the State. The Authority considers all committed persons for parole except in cases where the penalty of life imprisonment without parole has been imposed. It establishes the minimum terms of imprisonment, grants or denies parole, revokes parole whenever necessary, and provides supervision of paroled individuals. The Authority also investigates and makes recommendations on applications for gubernatorial pardons.

The three members of the Hawaii Paroling Authority are appointed by the Governor, with the advice and consent of the Senate, from a list of nominees submitted by a panel composed of the Chief Justice, the Director of Public Safety, the President of the Hawaii Correctional Association, the President of the Hawaii State Bar Association, the head of the Hawaii Council of Churches, a public member appointed by the Governor, and the President of the Hawaii Chapter of the National Association of Social Workers.

Criminal Injuries Compensation Commission

The Criminal Injuries Compensation Commission, established under section 351-11, Hawaii Revised Statutes, consists of three members appointed by the Governor with the advice

and consent of the Senate. The Commission plans, develops, implements, and maintains a statewide program to aid victims of criminal acts, by providing compensation to victims of certain crimes or dependents of deceased victims, and indemnification of private citizens for personal injury or property damage suffered in the prevention of crime or apprehension of a criminal.

Correctional Industries Advisory Committee

The Correctional Industries Advisory Committee, established under section 354D-5, Hawaii Revised Statutes, consists of nine members appointed by the Governor with the advice and consent of the Senate: a Chairperson designated by the Governor, and at least two private sector representatives and two labor union representatives. The Director of Public Safety serves as an ex officio nonvoting member of the Committee.

DEPARTMENT OF TAXATION

The Department of Taxation, established under section 26-10, Hawaii Revised Statutes, and whose duties and powers are enumerated under section 231-3, Hawaii Revised Statutes, is headed by the Director of Taxation. The Department is responsible for the administration and enforcement of the tax laws of the State. This includes the assessment of taxes and the collection of tax revenues. It develops tax interpretations, studies the provisions of the tax laws, and recommends to the Legislature changes and revisions to those laws. The Department also collects the employment security contributions paid by employers under the Unemployment Compensation Law. Tax appeals are administered by the Tax Appeal Court and the Boards of Taxation Review in the four tax districts.

Administrative Services Office

The Administrative Services Office assists the Director of Taxation in administrative matters and provides general internal management for the Department. It coordinates and prepares the annual operating budget of the Department and maintains control over departmental accounts and expenditures. In addition, the Administrative Services Office advises and provides staff services in the areas of capital improvements and facilities management including renovations, and attends to the personnel services programs of the Department such as personnel classification, job evaluation, employee relations, labor relations, equal employment opportunity and affirmative action, employee training and development, personnel transactions, and the maintenance of personnel records.

Information Technology Services Office

The Information Technology Services Office provides continuous analysis and development of computer systems to automate routine tax processing functions and makes information available for tax planning and the preparation of statistical reports. It conducts management and organization studies to achieve greater productivity from these systems and furnishes data processing operations support for the systems. The Office advises the Director on all matters pertaining to information technology, computerization, and automation, and recommends associated policies and procedures.

Rules Office

The Rules Office develops tax interpretations, prepares appropriate legislative proposals and written testimonies on all tax measures before the Legislature, appears before legislative hearings and offers recommendations on tax measures for the Governor's review prior to enactment, prepares written opinions to taxpayer inquiries, and acts as the primary resource on technical questions relating to the development of tax policy.

Tax Research and Planning Office

The Tax Research and Planning Office conducts tax research and planning. It provides statistical information and projections on tax yields, tax impact, and economic conditions as they relate to taxes. The Office directs the preparation of an annual report and a variety of other departmental reports. It assists the Director in developing and supporting proposed tax legislation changes and is the primary planner with the responsibility for developing long-range income and expenditure estimates, with programs to meet projected needs.

Technical Training and Development Office

The office plans, organizes, directs, and coordinates a technical training and development program for the Department's line operations. It conducts and coordinates intensive and substantive auditing, examination, collection, and taxpayer services training for the operating programs throughout the Department.

Tax Services and Processing Division

The Tax Services and Processing Division performs all functions relating to the processing and control of documents; receives, secures, deposits, and accounts for tax payments; and renders taxpayer services to the public, including the issuance of general excise tax licenses. These functions are carried out through three branches: Document Processing, Revenue Accounting, and Taxpayer Services.

Compliance Division

The Compliance Division administers a comprehensive and uniform statewide compliance program, conducts and enforces collection of delinquent taxes by appropriate collection procedures, conduct audits, secures nonfiled returns from taxpayers, and conducts investigations to determine compliance with state tax laws.

The Division develops policies and procedures, renders guidelines and recommendations, and provides coordination and assistance in enforcement activities; participates in resolving complex enforcement cases; recommends goals and objectives; and reviews objectives and accomplishments with operating personnel.

Functions are carried out by the Oahu Office Audit Branch, Oahu Collections Branch, the Field Audit Branch, and the Neighbor Island Districts (Maui, Kauai, and Hawaii).

Attached for Administrative Purposes

Boards of Review

There is a Board of Review for each of the four taxation districts, pursuant to section 26-10, Hawaii Revised Statutes. Each board consists of five members appointed by the Governor with the advice and consent of the Senate. The Governor designates a chairperson and vice chairperson for each board. Members are required to be residents of the taxation district for which the member is appointed and shall have resided in the State for at least three years at the time of appointment. No officer or employee of the State is eligible for appointment to any of the boards.

Each Board of Review hears informally all disputes between the assessor and any taxpayer who has filed a notice of appeal. Each board is empowered to decide all questions of fact and all questions of law, except questions involving the Constitution or laws of the United States.

The decision of the Board of Review may be appealed to the Tax Appeal Court. Alternatively, any taxpayer may take the matter directly to the Tax Appeal Court.

Council on Revenues

The Council on Revenues, established under section 37-111, Hawaii Revised Statutes, prepares revenue estimates of the state government for each fiscal year of the six-year state program and financial plan. Reports of the estimates and any revisions thereto are reported quarterly to the Governor and Legislature who are required to consider such estimates in budget preparation, appropriations, and revenue measures. The Council consists of seven members, three of whom are appointed by the Governor for four-year terms and two each of whom are appointed by the President of the Senate and the Speaker of the House of Representatives for two-year terms. The Council is not required to comply with the law on open meetings for public agencies when confidential tax information is discussed, but all estimates submitted to the Governor and Legislature by the Council are public.

Tax Review Commission

The Tax Review Commission, established under the State Constitution, Article VII, section 3, and section 232E-1, Hawaii Revised Statutes, conducts systematic reviews of the State's tax structure, using such standards as equity and efficiency. The Commission may enter into contracts with consultants and employ persons necessary to perform its duties without regard to the civil service and compensation laws. Beginning July 1, 1980, and every five years thereafter, seven persons are appointed to the Commission by the Governor with the advice and consent of the Senate. The Commission meets from time to time as necessary to execute its duties and dissolves upon completion of such duties.

Natural Disaster Claims Commission

The administratively attached Commission receives, processes, and decides upon applications for tax relief for losses due to damage or destruction of real or personal property resulting from a natural disaster.

DEPARTMENT OF TRANSPORTATION

The Department of Transportation, established under section 26-19, Hawaii Revised Statutes, and headed by the Director of Transportation, is responsible for the establishment, maintenance, and operation of transportation facilities for the State. The activities of the Department are aimed at providing a system of integrated transportation facilities which include highways, airports, and harbors. The Department is involved in the continuous task of determining statewide transportation needs through ongoing surveys and the inventory of planned resources. It creates plans for statewide intermodal and multi-modal transportation systems, and conducts research and development projects and periodic review of new technologies in transportation systems.

Business Management Office

The Business Management Office provides the Department with internal auditing, management, accounting, systems, and office services.

Computer Systems and Services Office

The Computer Systems and Services Office provides the Department with full electronic data processing services, including all activities necessary for the development of engineering and non-engineering systems, and all services connected with the preparation, control, and machine processing of data.

Contracts Office

The Contracts Office administers the Department's contracting activities, including soliciting bids, qualifying prospective bidders, processing bids, and awarding and executing contracts. The Office also establishes contract procedures, develops contract documents, and maintains a complete record of contracts and their current status.

Office of Special Compliance

The Office of Special Compliance provides department-wide functional direction for the federal and state regulatory programs relating to environmental compliance and hazardous materials. The Environmental Compliance Program ensures that program areas and facilities are in compliance with environmental regulations. The Hazardous Materials Program develops, administers, and interprets hazardous material regulations in the State.

Office of Civil Rights

The Office of Civil Rights is responsible for planning, directing, developing, implementing, and administering a comprehensive department-wide Civil Rights Program for the Department that is inclusive of Title VI, Title VII, Disadvantaged Business Enterprise (DBE), and the Americans with Disabilities Act (ADA).

Office of Public Affairs

The Office of Public Affairs is responsible for providing the necessary services to implement the Department's program of public information and public relations, including media relations, reference and informational services, public and community relations, intra-departmental communications, and transportation demand management services.

PPB Management and Analytical Office

The PPB Management and Analytical Office administers the Department's planning, programming and budgeting, and program performance activities, including the development, preparation, and maintenance of programs and financial plans related to transportation. In addition, the Office provides staff assistance in obtaining allotments and approvals required for the implementation of capital improvement projects approved by the Legislature, constantly monitors the availability of funds, and maintains information on the status of all capital improvement projects. The Office also handles the departmental staff manual, administrative rules, records management, and reorganizations, and provides legislative support for the Department.

Personnel Office

The Personnel Office provides all areas of personnel management required by the Department.

Property Management Office

The Property Management Office furnishes central departmental services in the management of the Department's real property and facilities. It establishes policies and develops plans and procedures for an effective real property management program. It also assists in planning for maximum development of the Department's properties, and reviews or recommends disposition of properties and facilities.

Visitor Information Program Office

The Visitor Information Program Office provides visitor information services at state airports and harbors. These services include conducting protocol events, furnishing bilingual and multilingual personnel, cooperating with the Hawaii Visitors Bureau, the Department of Business, Economic Development and Tourism and its Tourism Branch, and federal agencies such as the United States Public Health Service, United States Customs Service, and United States Immigration and Naturalization Service in developing comprehensive tourism programs; distributing promotional tourist publications regarding Oahu and all neighbor islands; and providing information on flights, terminals, gate assignments, baggage, ground transportation, hotel accommodations, and points and events of interest to visitors. The Office also coordinates ceremonies, meetings, and conventions for the Department.

Statewide Transportation Planning Office

The Statewide Transportation Planning Office is responsible for developing long-range transportation plans and concepts for the Department and for establishing a comprehensive, multi-modal statewide transportation planning process which involves all levels of government and the community. It performs research for and tests new transportation concepts and creates statewide, inter-, intra-, and multi-modal transportation systems plans and networks.

Airports Division

The statewide airports program is directed by the Airports Division. It is responsible for the planning, design, construction, operation, and maintenance of the state airport system. In addition to moneys in the Airport Revenue Fund, the Division obtains federal aid for eligible airport projects through the Airport and Airway Improvement Act of 1982 (Public Law 97-248, Title V). Long-range airport master plans are prepared and periodically updated by the Division. It directs the work of consultants in the preparation of plans and the supervision of construction. To operate the system on a financially self-sustaining basis, the Division establishes a program of fees and charges for the use of the airports and for concession operations within the terminal buildings. It is responsible for the granting of leases, licenses, and permits for persons conducting businesses at airports. To finance the construction of new facilities, airport revenue bonds are issued by the Division. It prepares administrative rules for the management and control of activities at airports. Assistance to state and county planning agencies is provided for land use compatible with aircraft operations through a federally assisted program for noise measurement. The Division also cooperates with state and private tourism agencies in promoting new airlines and routes to Hawaii.

Harbors Division

The Harbors Division is responsible for the operations, planning, design, construction, and maintenance of the State's commercial harbor system. The costs of the commercial harbor system is funded primarily through user fees (wharfage, dockage, port entry, and other services) and property rentals. Harbor revenue bonds are issued to finance large capital improvement

projects. The Division has developed administrative rules (tariffs) for the management and control of all state commercial harbor facilities.

Highways Division

The Highways Division is charged with the planning, design, construction, and maintenance of the State Highway System. It designates the highway systems for federal-aid apportionments and submits project statements to the Federal Highway Administration which include planning, design, right-of-way, and construction program information. The Division also negotiates for and supervises engineering consultant contract work. It administers the Capital Improvement and Operation Maintenance Programs for the State Highway System.

Commission on Transportation

The Commission on Transportation, established under section 26-19, Hawaii Revised Statutes, sits in an advisory capacity to the Director of Transportation and reports on matters falling within the jurisdiction of the Department. The Commission consists of not more than eleven members, with the number of members from each county approximately proportional as the population of the respective counties is to the population of the State, provided that each of the four counties is represented by at least one member.

Highway Safety Council

The Director of Transportation serves as the Chairperson of the State Highway Safety Council, established under section 286-5, Hawaii Revised Statutes. Other members include the Chief Justice, the Attorney General, the Director of Health, the Director of Transportation, the Superintendent of Education, the President of the University of Hawaii, the Chairperson of each of the county Highway Safety Councils, established under section 286-6, Hawaii Revised Statutes, and not more than twenty other persons who are appointed by the Governor on the basis of their interest in highway safety. The Council serves in an advisory capacity to the Governor on matters relating to the programs and activities of the State in the field of highway safety.

Medical Advisory Board

The Medical Advisory Board, under section 286-4.1, Hawaii Revised Statutes, is established in the office of the Director of Transportation. The duties of the Board include the development of a system for medical evaluation of persons whom examiners of drivers suspect have mental or physical conditions which may potentially impair driving ability. The Board advises the examiners of drivers on medical criteria and vision standards of drivers of motor vehicles. The Board consists of not fewer than five licensed physicians appointed by the Governor, including one psychiatrist, one neurologist, one orthopedic surgeon, one ophthalmologist or optometrist, and one specialist in cardiovascular disease.

OAHU METROPOLITAN PLANNING ORGANIZATION

The Oahu Metropolitan Planning Organization (OMPO), established under section 279E-2, Hawaii Revised Statutes, is an advisory body responsible for coordinating the comprehensive, continuing, and cooperative transportation planning process for the island of Oahu. These responsibilities include: updating Oahu's regional transportation plan; developing an island-wide work program of transportation studies; conducting, administering, and assisting in transportation studies; and programming transportation projects to ensure federal funding.

The decision-making body of OMPO is its Policy Committee. The thirteen-member Policy Committee consists of five members of the legislative body of the City and County of Honolulu, three members of the Senate, three members of the House of Representatives, the Director of the state Department of Transportation, and the Director of the City Department of Transportation Services.

UNIVERSITY OF HAWAII

The University of Hawaii is a land, space, and sea grant institution and the only public institution of higher education in the State of Hawaii. It began in 1907 as a land-grant college of agriculture and mechanic arts called the College of Hawaii. In 1919 it was established as the University of Hawaii (Act 203, Session Laws of Hawaii 1919; sections 26-11 and 304-1, Hawaii Revised Statutes). The University of Hawaii is comprised of one comprehensive university campus, two baccalaureate-granting institutions, and a system of seven community colleges. The fundamental mission of the University is to provide all qualified people in Hawaii with an equal opportunity for quality college and university education and training; create knowledge and gain insights through research and scholarship; provide public service through the dissemination of current and new ideas and techniques; preserve and contribute to the artistic and cultural heritage of the community; and respond to the changing needs of the people of Hawaii. The State Constitution, Article X, sections 5 and 6 provide that the University of Hawaii is a body corporate, governed by an appointed Board of Regents and administered by the board-appointed President of the University. The standard of instruction is equal to that given and required in similar universities in the United States and, upon the successful completion of the prescribed courses, the Board confers a corresponding degree upon all students who are entitled thereto.

Board of Regents

The Board of Regents, under sections 304-3 and 304-4, Hawaii Revised Statutes, has exclusive jurisdiction over the internal organization and management and formulates the policy of the University of Hawaii. Toward this purpose, the general powers of the Board include the adoption of bylaws governing the conduct of its business and performance of its duties; acquisition, sale, lease, disposal, maintenance, use, and operation of real and personal property or other interests; entering into contracts, leases, cooperative agreements, or other transactions; and the determination of the expenditures and obligations of the University. In Fall 2000, the people of Hawaii approved a constitutional amendment increasing the autonomy of the Board of Regents in the management of the University. The Legislature, however, may at any time enact laws of statewide concern which affect the University. The Board, under section 305A-2, Hawaii Revised Statutes, also acts as the State Board for Vocational Education and, in this capacity, may cooperate with the federal government for receipt of vocational education aid. In addition, the Board, under section 305H-1, Hawaii Revised Statutes, serves as the State Post-Secondary Education Commission along with four additional members representing the public and private sectors of education in Hawaii. The Commission cooperates with the United States Department of Education in order to qualify the State to receive federal funds.

The Board of Regents consists of twelve members (including one student member) appointed by the Governor with the advice and consent of the Senate. At least part of the membership must represent geographic subdivisions of the State.

President of the University

The President of the University, who is appointed by the Board of Regents, serves as the executive officer of the Board and administers its policies. In this role, the President is responsible for the educational leadership, administration, and research and service missions of the entire University system.

Office of the State Director for Career and Technical Education

The University of Hawaii Board of Regents serves as the State Board for Career and Technical Education to carry out the purposes of the federal Carl D. Perkins Vocational Education Act of 1998 and other related requirements mandated by federal legislation. The President of the University serves as the Administrative Officer of the Board. The Office of the State Director for Career and Technical Education is assigned administratively to the UH, with its Director reporting to the President of the University.

This Office assists the Board in carrying out its functions, including to develop and revise, as necessary, a State Plan for Vocational Education; receive and disburse federal funds for career and technical education; recommend policies for career and technical education; evaluate career and technical education programs; provide required reports to the federal government; and assist the State Department of Education and the University of Hawaii in planning, coordinating, and evaluating career and technical education programs and services statewide

Campuses of the University of Hawaii System

The University of Hawaii comprises a system of ten separately accredited campuses, including a major research university, the University of Hawaii at Manoa; one four-year college, University of Hawaii at Hilo; one upper-division college, University of Hawaii-West Oahu; and seven community colleges, four of which are located on the island of Oahu and one each on the islands of Hawaii, Kauai, and Maui. Each campus provides the normal array of student and academic support services, including student advising, student activities, libraries, learning resource centers, computer centers, and the like. Most campuses also house health service and food service facilities. Faculty at each campus is engaged in community service in addition to their teaching responsibilities. In addition, engaging in research is an expectation of all faculty at UH-Manoa, UH-Hilo, and UH-West Oahu, and is undertaken by some community college faculty as well.

In addition to on-campus instructional programs, the University of Hawaii offers courses at three University Centers, several other outreach sites, and via interactive television, cable television, and the internet to students throughout the state and, increasingly, to students outside Hawaii.

University of Hawaii at Manoa: Colleges and Schools

The University of Hawaii at Manoa, under the direction of a Chancellor, offers bachelors, masters, and doctoral degrees, the first professional degrees in law and medicine, and a number of certificates. Colleges and schools form the structure which provides instruction to non-vocational, professional, and graduate students at the Manoa campus. These colleges and schools and their programs are as follows:

- (1) Colleges of Arts and Sciences provide comprehensive knowledge of major areas of learning for all undergraduate degree students and offer certificates and the BA, BS, MA, MS, and PhD degrees in liberal arts and sciences fields.
 - (a) College of Arts and Humanities
 - (b) College of Languages, Linguistics, and Literature
 - (c) College of Natural Sciences
 - (d) College of Social Sciences
- (2) College of Business Administration offers the BBA and MBA, the MAcc, and PhD degrees.
- (3) College of Education offers certificates and the BEd, MEd, MEdT (in teaching), and PhD degrees.
- (4) College of Engineering offers certificates and the BS, MS, and PhD degrees.
- (5) College of Tropical Agriculture and Human Resources offers certificates and BS, MS, and PhD degrees. The College also includes the Cooperative Extension Service, offering services statewide, and the Hawaii Agriculture Experiment Station.
- (6) School of Architecture offers the BArch and the ArchD.
- (7) School of Hawaiian, Asian, and Pacific Studies offers the BA and MA degrees, as well as certificates in area studies and languages.
- (8) John A. Burns School of Medicine offers the MD as well as the BS, MS, PhD and MPH in the biological sciences, speech pathology and audiology, medical technology, and public health.
- (9) School of Law provides a program leading to the JD degree.
- (10) School of Nursing and Dental Hygiene offers BS, MS, and PhD Degrees.

- (11) School of Ocean and Earth Science and Technology offers the BA, BS, MS, and PhD, as well as certificate programs.
- (12) School of Social Work offers the BSW, MSW and PhD.
- (13) School of Travel Industry Management offers the BS and MS degrees.
- (14) Outreach College does not offer degrees, but provides credit courses to persons who cannot attend regular day sessions, summer session classes, and non-credit courses, lectures, and programs of general or specialized interest.

University of Hawaii at Manoa: Organized Research

In addition to providing instruction in numerous areas of learning prescribed by the Board of Regents, one of the purposes of the University is to conduct research. The University houses twelve major research units:

- (1) Harold L. Lyon Arboretum encourages and conducts research and instruction in flora-related matters.
- (2) Institute for Astronomy conducts research in astronomy and astrophysics and assists in graduate training.
- (3) Cancer Research Center of Hawaii coordinates and supports cancer research and evaluation programs within the State.
- (4) Hawaii Institute of Geophysics and Planetology conducts research in oceanography, geography, geochemistry, geophysics, and other earth and planetary sciences.
- (5) Hawaii Institute of Marine Biology performs research in the marine biological sciences and operates facilities on Coconut Island and at Kewalo Basin.
- (6) Hawaii Natural Energy Institute was established by the State Legislature in 1974 to undertake and coordinate research and development of Hawaii's abundant renewable energy resources: solar radiation, geothermal heat and fluids, warm surface/cold deep ocean water, tradewinds, and biomass.
- (7) Hawaii Institute of Tropical Agriculture and Human Resources provides off-campus noncredit educational programs devoted to the advancement of agriculture in Hawaii, to the improvement of family living, and to the encouragement of community improvement; it promotes and conducts research on agriculture, from physiology of plants and animals, through diseases, parasitology, agronomy, biochemistry, and genetics, to production, economics, marketing, and cultural and related sociological concerns.

- (8) Industrial Relations Center serves to facilitate University research and instruction in areas related to industrial relations and labor force development.
- (9) Pacific Biomedical Research Center conducts research in cell structure and function, regulatory and behavioral biology, neurobiology, and pesticides.
- (10) Sea Grant College Program develops and administers a multidisciplinary institutional program related to the marine environment and its resources, comprised of education, public service, and research.
- (11) Social Sciences Research Institute conducts research in social sciences and linguistics. Among its sub-units are the Conflict Resolution Program, the Oral History Project, and the Youth Development and Research Center.
- (12) Water Resources Research Center conducts research related to Hawaii's water resources. The Environmental Center, a sub-unit of the Water Resources Research Center, is responsible for coordinating research, education, and services related to ecology, natural resources, and environmental quality with a view toward human needs and social institutions, especially in Hawaii.

Numerous other research and service units have also been established by the University covering a diverse number of areas such as engineering, Korean studies, computers, agriculture and human resource development, fishery, energy, instructional resources, languages, oceanography, urban studies and planning, social welfare, speech and hearing, surveying, and aquatics.

University of Hawaii at Hilo

The University of Hawaii at Hilo, located on the island of Hawaii and administered by a Chancellor, offers the baccalaureate, selected master's degrees, and certificate programs through three colleges to students on its Hilo campus and students at University Centers statewide.

- (1) College of Agriculture Forestry and Natural Resource Management offers the BS degree.
- (2) College of Arts and Sciences offers the BA, BS, BBA, and MEd degrees and the Professional Diploma in Education.
- (3) Ka Haka `Ula O Ke`eilikolani College of Hawaiian Language offers the BA and MA degrees.

The College of Continuing Education and Community Services offers special programming such as contracted ESL and on- and off-campus credit and non-credit courses, as well as seminars, lectures, conferences, exhibits, performances, and other specialized programs for the community. Summer school classes are also available.

UH-Hilo houses several research and service centers, including:

- (1) Center for Gifted and Talented Native Hawaiian Children
- (2) Hale Kuamoo Center for Hawaiian Language and Culture Through the Medium of Hawaiian
- (3) Hawaii Small Business Development Center
- (4) Kalakaua Marine Education Center
- (5) Minority Biomedical Research Support Program.

University of Hawaii-West Oahu

The University of Hawaii-West Oahu (UHWO), administered by a Chancellor, is an upper division baccalaureate college currently located on the grounds of Leeward Community College in Pearl City, Oahu. UH-West Oahu offers the Bachelor of Arts degree in selected Humanities, Social Sciences, and Business and Public Administration programs. UHWO also provides off-site classes on Oahu and the neighbor islands. The Center for Labor Education and Research is housed at UH-West Oahu.

University of Hawaii Community Colleges

The University of Hawaii Community Colleges is a system of seven campuses administered by a Chancellor. Each community college, headed by a Provost, provides a two-year Associate in Arts undergraduate degree in general education and liberal arts and Certificates of Achievement and Completion, the Associate in Science, the Associate in Applied Science, and the Associate in Technical Studies degrees in technical, occupational, and professional fields. Each college also houses an Office of Community Education and Training that provides cultural activities and non-credit programs in areas of general interest, as well as short-term occupationally oriented training programs for individuals and in-service training programs for business and government.

The Community Colleges serve a substantial cross section of the population as the result of an "open admission" policy that permits any high school graduate or adult age eighteen or older to enroll. This policy provides maximum educational opportunities to the residents of Hawaii.

- (1) Hawaii Community College, located in Hilo on the island of Hawaii, offers a strong liberal arts program, including basic skills, and a comprehensive vocational program that includes business, nursing, trades, technology, and public service career fields.

- (2) Honolulu Community College, located in downtown Honolulu, offers a strong liberal arts program in addition to the largest number of vocational/technical offerings in Hawaii, including programs not offered at other campuses, e.g., marine technologies, cosmetology, refrigeration and air conditioning, aeronautic maintenance, and commercial aviation pilot training.
- (3) Kapiolani Community College, located at Diamond Head on Oahu, offers a comprehensive liberal arts program, nine unique programs in allied health professions, the State's only legal assisting program, and an extensive food service and hospitality program through the Culinary Institute of the Pacific.
- (4) Kauai Community College, located on the island of Kauai, offers a strong liberal arts program and comprehensive vocational programs including business education, health care, trades and technology, and the visitor industry.
- (5) Leeward Community College (LCC), overlooking Pearl Harbor on the island of Oahu, offers an extensive liberal arts program with courses in 67 disciplines, combined with selected vocational offerings in business, technology, food service, and human services. It houses the State's only program in television production. LCC includes a center in Waianae.
- (6) Maui Community College (MCC), on the island of Maui, offers a strong liberal arts program and a comprehensive vocational program that includes business, nursing, trades and technology, and public service career fields. MCC includes centers on the islands of Molokai and Lanai and in the community of Hana on Maui. On-site courses, as well as cable TV and interactive television courses, provide instruction to these areas.
- (7) Windward Community College (WCC), in Kaneohe on Oahu, offers a strong, comprehensive liberal arts program and selected vocational programs in business and agriculture. WCC also administers the Employment Training Center offering job training and skills development to high school drop-outs and other "at risk" populations in high-demand areas such as food service, auto repair, construction occupations, and office technology.

University of Hawaii Centers

University Centers on the islands of Maui and Kauai and in West Hawaii establish a University of Hawaii presence in communities that otherwise lack access to programs offered elsewhere in the University of Hawaii System. University Centers are system entities that are assigned for administrative purposes to their island's community college. The courses and credentials offered at these Centers are those of the existing accredited UH campuses.

Attached for Administrative Purposes

State Post-Secondary Education Commission

The University of Hawaii Board of Regents, augmented by four members representing the general public and public and private non-profit and proprietary institutions of post-secondary education in the State, serves as the State Post-Secondary Education Commission. The President of the University of Hawaii serves as the chief administrative officer for the Commission, which is placed administratively within the UH. This Commission is responsible for receiving and disbursing federal funds under the Higher Education Act of 1965, as amended, and other federal initiatives. Its major responsibility is to establish standards and procedures and conduct or coordinate the review of post-secondary education institutions in Hawaii to determine eligibility to receive federal funds for student financial assistance. It is also responsible for establishing and administering procedures for receiving and responding to complaints from students, faculty, staff, and others concerning institutions of higher education in Hawaii. The Commission is governed by chapter 305H, Hawaii Revised Statutes.

Western Interstate Commission for Higher Education

The Western Interstate Commission for Higher Education (WICHE) was created to administer the Western Regional Education Compact, which the Legislature approved in 1959 (Act 253, Session Laws of Hawaii 1959; section 310-1, Hawaii Revised Statutes). Thirteen western states are members: Alaska, Arizona, California, Colorado, Hawaii, Idaho, Montana, Nevada, New Mexico, Oregon, Utah, Washington, and Wyoming. These states entered into a compact designed to pool their educational resources, to plan jointly for the preparation of a specialized skilled labor force, and to avoid, where feasible, the duplication of expensive facilities and programs. Member states participate in the Student Exchange Program, the Western Regional Graduate Programs, and the Western Undergraduate Exchange Program. WICHE also sponsors, with nonstate funds, many educational conferences, symposia, and related projects. Three states--Minnesota, North Dakota, and South Dakota--have affiliated with WICHE in order to participate in western regional programs. The Commission consists of members and affiliated state representatives, who are appointed by their respective state governors. The Commission conducts research and publishes studies on higher education problems in the western area. Hawaii's Commission, consisting of three commissioners, is assigned for administrative purposes to the Board of Regents' office.

The Research Corporation of the University of Hawaii

The Research Corporation of the University of Hawaii (RCUH) was established by Act 209, Session Laws of Hawaii 1965, codified in chapter 307, Hawaii Revised Statutes, to support the research and training programs of the University of Hawaii and to enhance research, development, and training in Hawaii. It is attached to the University of Hawaii for administrative purposes and governed by a ten-person Board of Directors, five of whom are appointed by the Governor and five of whom are members of the Board of Regents of the

University of Hawaii, selected by the Board of Regents. The President of the University of Hawaii also serves as President of RCUH, with its Executive Director responsible for its day-to-day affairs. Because of its exemption from several state statutes in the areas of accounting, human resources, and procurement, RCUH is able to process transactions expeditiously, allowing researchers to focus more of their efforts on research rather than administrative activities. RCUH receives no state funds and operates entirely on fees charged to the University and to other agencies and organizations that may from time to time use its services.

THE EAST-WEST CENTER

The East-West Center is a national public, nonprofit education and research institution with an international board of governors. The United States Congress established the Center in Hawaii in 1960 with a mandate "to promote better relations and understanding between the United States and the nations of Asia and the Pacific through cooperative study, training and research" (Public Law 86-472). To support its mission, the Center's program includes research, dialogue, educational activities, and public outreach.

The Center works to strengthen relations in the region and serves as a national and regional resource for information and analysis on Asia and the Pacific. Center research focuses on politics and security, economic development and energy, population and health, and the environment. The Center provides scholarships for 100 graduate students from the Asia-Pacific-U.S. region to study at the University of Hawaii. Each year scholars, government and business leaders, educators, journalists, and other professionals work with the Center's staff. Since 1960, more than 46,000 men and women have participated in the Center's cooperative programs.

Funding for the East-West Center comes from the U.S. government, international organizations, corporations, foundations, and Asia Pacific governments.

THE JUDICIARY

The Judicial branch of the State Government of Hawaii is separate and distinct from, but coequal with, the Executive and Legislative branches. The State Constitution, Article VI, section 1, provides for the Supreme Court, the Intermediate Court of Appeals, Circuit Courts, District Courts, and such other courts as may be established by the Legislature. The Legislature utilized this constitutional authority to create the Land Court and Tax Appeal Court, established under sections 501-1 and 232-11, Hawaii Revised Statutes, respectively. The Family Courts, pursuant to section 571-1, Hawaii Revised Statutes, were subsequently added as divisions of the Circuit and District Courts.

SUPREME COURT

The Supreme Court consists of the Chief Justice and four Associate Justices, all of whom are appointed by the Governor with Senate consent from a list of nominees presented by the Judicial Selection Commission. Justices serve for terms of ten years and may be retained by the Judicial Selection Commission. Justices and judges of all courts must retire upon attaining the age of seventy years. Statutory provisions relating to the Supreme Court are set forth in chapter 602, part I, Hawaii Revised Statutes.

The Supreme Court is the highest court in the State. Its duties include hearing and determining appeals from other courts; answering, at its discretion, any question of law reserved by the Circuit Courts, the Land Court, or the Tax Appeal Court; at its discretion, answering any question of state law certified by a federal court; entertaining, at its discretion, certain cases submitted on agreed facts; exercising original jurisdiction in all questions arising under writs directed to courts of inferior jurisdiction or under other extraordinary writs; making or issuing any order or writ in aid of its appellate or original jurisdiction; making and awarding judgments, decrees, orders, and mandates; and doing other acts necessary to carry out its mandate. The Court has the power to reprimand, discipline, suspend, retire, or remove any justice or judge for misconduct or disability pursuant to rules promulgated for such purpose. As provided in the State Constitution, Article VI, section 7, the Court promulgates rules of procedure, having the force and effect of law, for all courts in the State. The Supreme Court also licenses and disciplines attorneys.

As administrative head of the Judiciary, the Chief Justice exercises exclusive authority over the budget and court operations; makes judicial assignments; and prescribes a uniform system of keeping and reporting statistics. The Chief Justice, through an "assignment judge" whom the Chief Justice appoints from among appellate level judges, assigns cases to either the Supreme Court or the Intermediate Court of Appeals.

Administrative Director of the Courts

The Administrative Director of the Courts serves as the assistant to the Chief Justice in day-to-day administration of the courts, and manages the administrative programs and services required to support all court and auxiliary operations. The Office of the Administrative Director of the Courts is divided into three divisions: the Support Services Division, the Policy and Planning Division, and the Intergovernmental and Community Relations Divisions. Several programs and services operate within each division. These programs and services include: the Administrative Driver's License Revocation Office (administrative revocation procedures are provided for in chapter 291E, Hawaii Revised Statutes), Budget and Statistics, Center for Alternative Dispute Resolution (established under section 613-2, Hawaii Revised Statutes), Children's Justice Centers (established under chapter 588, Hawaii Revised Statutes), Fiscal and Support Services, Office on Equality and Access to the Courts, Internal Audit, Judiciary History Center (established under section 6F-2, Hawaii Revised Statutes), Law Library, Personnel, Planning, Public Affairs, Staff Attorneys, and Telecommunications and Information Services.

The Administrative Director is appointed by the Chief Justice with the approval of the Supreme Court, pursuant to the State Constitution, Article VI, section 6. The duties of the Administrative Director of the courts are set out in section 601-3, Hawaii Revised Statutes.

Judicial Council

The Judicial Council, established under section 601-4, Hawaii Revised Statutes, consists of members appointed by the Supreme Court to serve in an advisory capacity on court-related administrative matters. The Council, which cannot exceed fifteen members, includes judges, attorneys, and lay members.

Commission on Judicial Conduct

As provided in the State Constitution, Article VI, section 5, the Commission on Judicial Conduct is created by the Supreme Court to carry out the Court's power to reprimand, discipline, suspend, retire, or remove from office any justice or judge for misconduct or disability. The Commission may investigate and conduct hearings based on allegations of misconduct or disability and make recommendations to the Court concerning reprimand, discipline, suspension, retirement, or removal. The Commission is composed of seven members appointed by the Supreme Court. Three members, including the Commission's chairperson, are attorneys licensed to practice law in the State; four members, including the vice chairperson, are citizens who are not active or retired judges, or attorneys. Commission members and any special counsel appointed for the Commission by the Supreme Court are immune from suit for any action taken in the course of their official duties.

Board of Examiners

The Board of Examiners consists of Supreme Court-appointed members of the Hawaii Bar. Its function is to examine the legal and educational qualifications of applicants to the Bar. The Board, which administers semiannual state bar examinations, operates under the authority of Rule 1 of the Rules of the Supreme Court.

Office of Disciplinary Counsel

The Office of Disciplinary Counsel investigates and prosecutes attorneys alleged to have violated the Code of Professional Responsibility, pursuant to Rule 2 of the Rules of the Supreme Court. It also adopts and publishes advisory opinions interpreting the Code.

The Board, consisting of eighteen attorney and non-attorney members, contracts for the services of five full-time disciplinary attorneys and support staff.

Judicial Selection Commission

Article VI, section 4, of the State Constitution provides for a Judicial Selection Commission. The Commission is a non-partisan selector of judicial nominees. Commission members are prohibited from taking active roles in political management or campaigns and are ineligible for appointment to judicial office for the duration of their term on the Commission and for three years thereafter. The Commission consists of nine members: two appointed by the Governor, two each by the President of the Senate and Speaker of the House of Representatives, one by the Chief Justice, and two by members in good standing of the State Bar. Of the members appointed by the Governor, no more than one may be an attorney. Not more than four of the Commission members may be licensed attorneys.

INTERMEDIATE COURT OF APPEALS

For most matters, the Intermediate Court of Appeals has concurrent jurisdiction with the Supreme Court and hears any matter assigned to it by the Chief Justice or the Chief Justice's designee. Decisions of the Intermediate Court of Appeals may be reviewed by the Supreme Court upon an application for a writ of certiorari on grounds that the decision of the Intermediate Court of Appeals: (1) contained grave errors of law or fact, or (2) was inconsistent with its prior decisions, with decisions of the Supreme Court, or with decisions of federal courts.

The Intermediate Court of Appeals sits in Honolulu, but may temporarily be assigned elsewhere by the Chief Judge. The Chief Judge and three associate judges who comprise the Intermediate Court are appointed in the same manner as the Supreme Court justices, for ten-year terms. Statutory provisions relating to the Intermediate Court of Appeals are set forth in chapter 602, part II, Hawaii Revised Statutes. The Intermediate Court of Appeals sits in panels of three

judges. Two additional judges have been authorized for the Intermediate Court of Appeals, but the positions have not yet been funded.

CIRCUIT COURTS

The State of Hawaii is divided into four judicial circuits. Pursuant to chapter 603, Hawaii Revised Statutes, the First Judicial Circuit consists of the island of Oahu, and other islands of the State not in any other circuit. It has twenty-three Circuit Court judges.

The Second Judicial Circuit is comprised of the islands of Maui, Molokai, Lanai, Kahoolawe, and Molokini. It has three Circuit Court judges. The Third Judicial Circuit, also with three Circuit Court judges, consists of the island of Hawaii. The Fifth Judicial Circuit includes the islands of Kauai and Niihau and is served by two Circuit Court judges.

There is no Fourth Judicial Circuit. It was eliminated in 1943 when the Fourth Circuit (part of the island of Hawaii) merged into the Third, and the designation was dropped altogether.

Circuit Courts have jurisdiction over criminal offenses of state laws that are committed in the respective circuits or transferred by change of venue; actions for penalties and forfeitures incurred under state laws; and civil actions and proceedings.

To execute their responsibilities, Circuit Courts hold powers that include granting the probate of wills; hearing appeals allowed by law from agencies; issuing necessary or appropriate writs and orders; administering oaths; compelling attendance of parties and witnesses and the production of information; admitting or dispensing bail as allowed; issuing warrants; awarding judgments, decrees, orders, and mandates; and issuing injunctions to stop violations of state laws or county ordinances.

Circuit Court judges are appointed by the Governor with Senate consent from a list of nominees submitted by the Judicial Selection Commission. They serve terms of ten years, must retire at age seventy, and may be retired or removed for incapacity.

FAMILY COURTS

Family Courts, established under chapter 571, Hawaii Revised Statutes, consist of circuit and district family judges and are administered as divisions of the Circuit Courts. Family Courts are concerned with legal processes involving families and children. Family Courts, in accordance with statutory policy, promote the reconciliation of distressed juveniles with their families, render appropriate punishment to offenders and foster their rehabilitation, and reduce juvenile delinquency. Under section 571-11, Hawaii Revised Statutes, Family Courts have exclusive original jurisdiction over minors who have committed or attempted to commit violations of federal, state, or county laws; over abused, neglected, or abandoned children; over children beyond the control of their parents or custodians or whose behavior is injurious to themselves; and over children not attending school or receiving educational services as required

by law. Family Courts are also authorized to: determine the custody of children or appointment of their guardians; oversee adoption proceedings; terminate parental rights; give judicial consent for marriage, employment, or military enlistment when required by law; treat or commit mentally ill or retarded children; and administer the Interstate Compact for Juveniles (chapter 582, Hawaii Revised Statutes).

Family Courts have jurisdiction over offenses committed against children by parents, guardians, or legal custodians; offenses of custodial interference; abandonment of children; persistent nonsupport; actions endangering the welfare of children or incompetent persons; annulment, divorce, and separation proceedings; proceedings under the Uniform Desertion and Nonsupport Act and Uniform Reciprocal Enforcement of Support Act; commitment of adults alleged to be mentally defective or mentally ill; proceedings involving the question of support between parents and children or between husbands and wives; appointment of guardians for adults; and proceedings to waive jurisdiction over minors (thereby allowing them to be tried as adults) alleged to have committed serious criminal acts.

In the First Judicial Circuit, the Chief Justice designates one Circuit Court judge to act as the Senior Family Court judge. In the other circuits, the Chief Justice assigns the functions of the Senior Family Court judge to the Administrative Judge of the Circuit Court.

Section 571-8, Hawaii Revised Statutes, allows the establishment of District Family Courts within the Circuit Courts. The geographical jurisdictions are the same as those of the District Courts. Judges of the District Family Courts are entitled District Family Court judges and must have the same qualifications as District Court judges.

Board of Family Court Judges

The Board of Family Court Judges, established under section 571-5, Hawaii Revised Statutes, consists of all the State's Family Court judges. The principal function of the Board is to establish general policies for the conduct of Family Courts.

LAND COURT

The Land Court, established under section 501-1, Hawaii Revised Statutes, has exclusive original jurisdiction over all applications for the registration of title to land easements or rights in land held and possessed in fee simple within the State, with power to hear and determine all questions arising upon the applications. It also has jurisdiction over other questions brought forth under the Land Court Registration law, chapter 501, Hawaii Revised Statutes.

The Administrative Judge of the Circuit Court of the First Circuit, subject to the direction of the Chief Justice, assigns all Land Court matters to a judge or judges of the First Circuit Court.

The Land Court employs a Registrar to retain custody and control of all papers and documents filed under the Land Court Registration law.

TAX APPEAL COURT

The Administrative Judge of the First Circuit Court, subject to the direction of the Chief Justice, assigns all Tax Appeal Court matters to a judge or judges of the First Circuit Court.

The Tax Appeal Court, established under section 232-11, Hawaii Revised Statutes, hears direct appeals regarding real property taxation from assessments or from the Boards of Review. It is a court of record and decides all questions of fact and law, including constitutional questions involving real property taxation, without juries.

DISTRICT COURTS

There is a system of District Courts within each of the judicial circuits, pursuant to chapter 604, Hawaii Revised Statutes. Generally, the jurisdiction of District Courts is limited to civil actions in which claims do not exceed \$20,000; to criminal offenses punishable by fine or by imprisonment not exceeding one year, whether with or without a fine; and to violations of county ordinances.

The numbers of District Court judges and District/Family Court judges in the various District Courts are as follows: District Court of the First Circuit, twenty-three judges; District Court of the Second Circuit, five judges; District Court of the Third Circuit, six judges; and District Court of the Fifth Circuit, two judges.

District Court judges are appointed by the Chief Justice with Senate consent for terms of six years from a list of nominees presented by the Judicial Selection Commission. District Court judges may be reprimanded, disciplined, suspended, or removed from office for misconduct or disability as provided by Supreme Court Rules. District Court judges must be residents of the judicial circuit where appointed and be attorneys licensed to practice in the courts of the State for five years. The Chief Justice also appoints temporary District Court judges on a per diem basis to perform auxiliary judicial functions in all circuits.

OFFICE OF HAWAIIAN AFFAIRS

The Office of Hawaiian Affairs (OHA) was established in 1978 by amendment to the Hawaii State Constitution, Article XII, section 5. Under the direction of nine trustees elected statewide, OHA has functioned operationally as both a government agency with a strong degree of autonomy, and as a trust. Its purpose is to provide the opportunity for a better life and future for all Hawaiians. The mix of trust funds, earmarked for Hawaiians of at least 50 percent blood quantum, and general funds, provided annually by the Legislature, allows OHA to serve Hawaiians of any blood quantum. In addition to running its own programs, OHA provides many community-based programs with major funding and coordinates joint activities with participating organizations. It advocates for Hawaiians in the state Legislature, state and federal courts, in the United States Congress, and in the local media, as well as by supporting community initiatives and interests.

Office of the Administrator

The Office of the Administrator manages the internal operations of the Office of Hawaiian Affairs by providing leadership, guidance, direction, and executive oversight. It implements the policies, rules, and directives adopted by the Board of Trustees and guides the organization's operation within the parameters established by the Board and in response to the concerns of OHA's beneficiaries. Additionally, the Office works with other agencies, government and private, that also serve Hawaiians toward OHA's mission of bettering the conditions of all Hawaiians. It reports to the Board on OHA's fiscal status and on the status of projects and programs. This includes developing and overseeing organizational structures and procedures; securing, supervising, and inspiring staff in the skills and attitudes required to work together; and guiding the implementation of OHA's functional, master, and strategic plans and processes.

Hawaiian Rights Division

The Hawaiian Rights Division (HRD) advocates for the rights of Hawaiians at the federal, state, and county levels. Advocacy efforts include the protection of Hawaiians' traditional and customary rights, as well as ensuring that federal, state, and county resources are proportionately directed to Hawaiian needs. HRD reviews, comments, and consults on proposed federal, state, and county legislation, regulations, and projects. The Division fosters communication between OHA and neighbor island communities through community resource coordinators (CRC) on the islands of Hawaii (Hilo and Kona), Kauai, Maui, and Molokai. It is the CRC's responsibility to keep the public informed on OHA initiatives, and to keep OHA informed of its beneficiaries' concerns.

Administrative Services

The Administrative Services office works in partnership with OHA divisions, beneficiaries, and the public by meeting OHA's administrative and financial management needs and interests through delivery of responsive and effective services in: finance, procurement and small purchasing, treasury, accounting, grants and agreements, land management, information systems and technology, major contracting, and acquisition.

Human Resources

The Human Resources office effectively manages the human resources and facilities service capabilities of the agency. Human Resources services include recruitment, wage and benefit administration, employee services, staff development, leave accounting and personnel record keeping, and related areas in accordance with applicable statutes, standards, and guidelines. This office also coordinates the Volunteer Services Program on a statewide basis and secures volunteers to support OHA divisions and offices in meeting the needs of the beneficiaries.

Research and Development

The Research and Development (R&D) office prepares Hawaiians to participate in determining, facilitating, promoting, and implementing a well, healthy, self-sustaining, empowered, and educated `ohana, community, nation, and `āina ola foundation (land).

The Research and Development office is located in Administrative Operations. R&D serves as the planning, research, and development arm of OHA. By providing technical assistance, contracting, and coordinating Hawaiian research and information, trustees and staff have the capacity to make informed and prioritized decisions on programs, projects, and grants to better conditions for Hawaiians.

Evaluation Unit

The Evaluation Unit systematically monitors and ensures accountability of services within OHA programs, projects, and contracts, using an intricate identification process to measure and assess their merit and worth. The Evaluation Unit was created in FY-01 to provide OHA Trustees and Administration with information needed to make major decisions. In this respect, every division within OHA is affected by the recommendations of the Evaluation Unit.

Public Information Office

The Public Information Office (PIO) assists in communicating OHA policies, programs, and activities, as well as information on Hawaiian issues vital to the Hawaiian community and

general public. It also supports all OHA divisions and offices with their media and information dissemination efforts and graphic design.

Education Program

The Education Program facilitates educational opportunities for Hawaiians that are both culturally sound and promote academic success. Its duty is to enhance the pride, integrity, and resources of the Hawaiian 'ohana by increasing the understanding of Hawaiian values, learning style, and culture as they relate to education; to affect policies relating to Hawaiian heritage and educational opportunities for Hawaiians by identifying their educational needs; to disseminate information on educational services; and to promote and support the use of teaching of Hawaiian culture and language in both public and private schools.

Grants and Health and Human Services

The Grants and Health and Human Services office serves Hawaiians through grant awards to support cultural, educational, and socioeconomic programs, as well as to assist health and human service agencies and organizations in providing effective services to OHA's beneficiaries.

Housing and Community Development Program

The Housing and Community Development Program works cooperatively with others in building or rebuilding healthy, self-sufficient Hawaiian communities. This includes the planning and implementing of programs that foster the development of safe, decent, and affordable housing for Hawaiians. OHA also assists Hawaiians in achieving equality in living standards and economic endeavors through community enterprises.

Native Hawaiian Revolving Loan Fund

The Native Hawaiian Revolving Loan Fund (NHRLF) fosters sustainable, Hawaiian-owned businesses by fostering economic independence, commitment, and fiscal responsibility through entrepreneurial/job development. NHRLF increases the availability and effectiveness of training and technical assistance to promote Hawaiian business ownership and increase entrepreneurial awareness and capability, and administers a business loan program that encourages Hawaiian-owned businesses and fosters job creation.

CITY AND COUNTY OF HONOLULU

The City and County of Honolulu, a political and corporate body, consists of the island of Oahu, all other islands not included in any other county, and adjacent waters thereto, and is vested with all powers authorized by the State Constitution, the laws of the State of Hawaii, and the Charter of the City and County of Honolulu.

LEGISLATIVE BRANCH

City Council

Except as otherwise provided by the City and County Charter, legislative powers are vested in and exercised by the City Council which consists of nine members elected for four-year terms. No Councilmember may serve for more than two consecutive full terms. Each of the members represents distinct districts which are reapportioned every ten years. Members must be duly qualified electors of the districts they represent.

The City Council is the lawmaking body of the City and County of Honolulu and determines policies and programs for the City. The Council is responsible for the enactment of ordinances affecting city law and the adoption of resolutions setting public and city policy. Among its powers are the determination and declaration of the necessity of eminent domain; adoption of a general plan setting forth the City's broad policies for the long-range development of Oahu; enactment of the annual legislative and executive budget ordinances and their balancing through the enactment of revenue producing resolutions and/or ordinances where necessary; adoption of a pay plan; authorization for the issuance and repayment of general obligation and revenue bonds; authorization of the issuance of improvement bonds to finance assessable public improvements; temporary borrowing of moneys on anticipated revenues; creation of semiautonomous agencies; provision of an independent financial and performance audit after each fiscal year; and investigations of the operation of any city agency or function and any matter subject to legislation by the Council.

City Clerk. The Council appoints the City Clerk who serves as the Clerk of the Council. The City Clerk is responsible for materials filed in the City Clerk's office; has custody of the city seal which is used to authenticate all official papers and instruments requiring execution or certification by the City Clerk; conducts all elections held in the City and County and performs voter registration functions as provided by the Charter or state law; and performs other functions pursuant to the Charter or state law.

Office of Council Services. The Office of Council Services assists the Council in the exercise of its legislative powers. The staff members of the Office conduct research, draft proposed ordinances, and provide other advisory and staff services to members of the Council. The Office is authorized to conduct performance audits of any City and County agency. Staff members are appointed by and serve under the direction of the presiding officer of the Council.

Council Reapportionment Commission. A Council Reapportionment Commission of nine members is constituted on or before July 1 of every reapportionment year or when reapportionment is required by court order. Reapportionment will next occur in 2010 and every tenth year thereafter. Members are appointed by the presiding officer of the Council with the approval of the Council. No more than a majority of the Commission members shall be from the same political party. The Commission is to consider and reapportion, if necessary, the districts from which Councilmembers are elected. On or before January 2 of the year following appointment, the Commission files with the City Clerk a reapportionment plan which shall be applicable to the next succeeding election at which all Councilmembers are elected.

Salary Commission

An independent Salary Commission establishes the salaries of all elected City and County officials, including the Mayor, Councilmembers, and Prosecuting Attorney, and the following appointed officials: Managing Director, Deputy Managing Director, department heads and their deputies, Royal Hawaiian Band Director, and deputies of the Corporation Counsel and the Prosecuting Attorney. The Commission consists of seven members: three appointed by the Mayor, three appointed by the Council, and the seventh member appointed by the Mayor and confirmed by the Council. The Commission elects a Chair from among its members.

The Commission convenes annually no later than February 1 and establishes salaries and salary schedules by May 1 to take effect July 1, the first day of the fiscal year subsequent to their adoption.

EXECUTIVE BRANCH

Mayor

The Mayor is elected for a term of four years. The Mayor serves as the chief executive officer of the City and County government and exercises direct supervision over agencies when such arrangement is provided in the Charter or deemed desirable, and exercises supervision, through the Managing Director, of other agencies; appoints necessary staff for which appropriations have been made by the Council; creates or abolishes positions within the executive branch and makes monthly reports on such actions to the Council; makes temporary inter- and intra-departmental transfers of employees; recommends a pay plan for all persons employed in the executive branch to the Council; may appoint a personal representative who is subject to the Mayor's direction; submits annual operating and capital programs and budgets and necessary proposed budget ordinances to the Council; signs instruments requiring execution, except when other persons are authorized to sign by the Charter, ordinance, or resolution; presents information or messages to the Council; makes annual and periodic reports informing the public of city policies, programs, and operations; calls special sessions of the Council; may veto council-passed bills, resolutions authorizing proceedings in eminent domain, and resolutions adopting or amending the city general plan; has a voice, but no vote, in proceedings of boards created by the Charter or ordinances; enforces provisions of the Charter, ordinances, and all

applicable laws; and exercises other powers and performs other duties as prescribed by the Charter or ordinances.

AGENCIES DIRECTLY UNDER THE MAYOR

Corporation Counsel

The Corporation Counsel serves as the chief legal advisor and legal representative of all agencies, the City Council, and all officers and employees in matters relating to their official powers and duties; represents the City in all legal proceedings; and performs all other services incident to his office as may be required by the City Charter or by law.

The Department of the Corporation Counsel is organized into Administration and four other divisions: Counseling and Drafting, Litigation, Family Support, and Real Property Tax.

Office of the Managing Director

The Managing Director, the principal management aide to the Mayor, is responsible for:

- Managing the affairs of the City.
- Supervising the heads of all executive departments and agencies under his/her assignment.
- Evaluating the performance of those agencies.
- Ensuring the Mayor's policies, goals and initiatives are implemented consistently throughout the City.
- Setting standards of administrative practice to be followed by all agencies under his/her jurisdiction.

The Managing Director attends meetings on the Mayor's behalf, including those of the City Council and its committees, and provides planning, coordination, research, and staff support for the implementation of the Mayor's programs and initiatives.

The Managing Director also oversees the following programs, which organizationally fall under the Office of the Mayor: Office of Economic Development, Office of Waikiki Development, Honolulu Film Office, and Office of Culture and the Arts.

AGENCIES UNDER THE MANAGING DIRECTOR

Budget and Fiscal Services

The Department of Budget and Fiscal Services is the central budgeting and accounting agency for the City and County of Honolulu. It is responsible for long-range financial planning and management of the City's operating and capital improvement budgets. It is also responsible for the management and integrity for the City's revenue and disbursement activities and financial records. It manages equipment inventories and administers a centralized purchasing activity. Additionally, it administratively supports the Liquor Commission, two Boards of Review and two pension funds. It also administers the City's Risk Management Program.

Community Services

On July 1, 1998, the powers, duties and functions of the Department of Community Services (DCS) were expanded to accommodate community-based development planning functions of the former Department of Housing and Community Development.

The specific powers, duties, and functions of DCS as defined in Chapter 3, Section 6-302 of the Revised Charter of Honolulu (2000 Edition) are: (a) to develop and administer projects, programs and plans of action for human resources and human services programs; (b) to develop and administer projects and plans of action designed to achieve sound community development, provided that such projects, programs and plans of action conform to and implement the general plan and development plans; and (c) to act as the local public officer for the purpose of implementing federally-aided and state-aided human resources, human services, housing, urban renewal and community development programs.

DCS consists of the following program divisions: Office of Special Projects, Elderly Affairs, Community Assistance, Community Based Development, and Job Development (WorkHawaii). Administrative support is provided through the Department's Administrative Services Section.

Customer Services

The Department of Customer Services (CSD) is responsible for public communication, motor vehicle registration and driver licensing, and operation of the Satellite City Hall system. Additionally, the Department provides printing services for city departments and agencies, issues various permits, and manages the City Reference Library, the records management and archives programs, and the Municipal Bookstore. CSD also administers the City's contract with the Hawaiian Humane Society to provide spay, neuter, and animal pound services in addition to enforcement of ordinances dealing with animals.

Design and Construction

The Department of Design and Construction (DDC) is the central agency responsible for the planning, design, and construction management of the City's Capital Improvement Program (CIP). Working in conjunction with its clients, the other operating departments in the City, DDC administers the planning, development, and implementation of capital improvements for all city agencies. These include development of infrastructure and facilities for wastewater, roads, and drainage; parks, fire, police, emergency services, customer services, finance, and planning and permitting. Additionally, DDC performs land survey and land acquisition in support of all city agencies.

DDC is organized into five divisions: Civil, Facilities, Land, Mechanical/Electrical, and Wastewater.

Emergency Services

The Honolulu Emergency Services Department is responsible for providing:

- Efficient, effective and economical operation of the pre-hospital emergency medical care and emergency ambulance service on Oahu;
- A comprehensive aquatic safety program for Oahu at nineteen City and County beach parks, including lifeguard services such as patrol and rescue activities and emergency response to medical cases in the beach environment;
- Injury prevention, public education, and public health programs and activities; and
- Coordination with other agencies at the local, state, and federal levels, and private organizations.

HESD is organized into Administration and two divisions: Emergency Medical Services Division and Ocean Safety and Lifeguard Services Division.

Enterprise Services

The Department of Enterprise Services (DES) operates and maintains the Neal S. Blaisdell Center, Waikiki Shell, Honolulu Zoo, and six municipal golf courses. DES also coordinates the preparation, administration, and enforcement of citywide concession contracts.

DES enhances the City's ability to focus on revenue-generating opportunities and create operational synergies with a unique "bottom line" business orientation.

Environmental Services

The Department of Environmental Services is responsible for the City's wastewater, storm water, and solid waste disposal services. The Department operates and maintains sewer lines, treatment plants, wastewater pump stations, land fills, refuse pickup and disposal, and storm drains, and is responsible for the chemical treatment and pumping of cesspools.

The mission of the Department is to protect public health and the environment by providing effective and efficient management of the wastewater, storm water, and solid waste disposal systems for the City and County of Honolulu.

Facility Maintenance

The Department of Facility Maintenance administers the City's repair and maintenance programs for roads, bridges, streams, flood control systems, traffic signs and markings, city buildings and office facilities, and city vehicles and heavy equipment excluding certain vehicles and equipment belonging to the Police, Fire, and Emergency Services departments, and the Board of Water Supply. It also administers the repair and maintenance programs for mechanical, electrical, and electronic equipment and facilities for parks, streetlights, and communication centers. Additionally, the Department provides property management, parking garage management, security, and interdepartmental mail services.

The Department is organized into three divisions: Automotive Equipment Services, Public Building and Electrical Maintenance, and Road Maintenance, all headed by the Director and Chief Engineer.

Honolulu Fire Department

The Honolulu Fire Department (HFD) is responsible for providing fire fighting, rescue, emergency medical and hazardous materials response for the entire island of Oahu.

The Fire Chief and the Deputy Fire Chief manage the operation and administration of the HFD and are mandated by the City Charter to be responsible for the following:

- Fire fighting and rescue work to save lives and properties from fires and emergencies emanating from hazardous terrain, ocean rescues and hazardous materials;
- Training, equipping, maintaining and supervising fire fighters and rescue personnel;
- Monitoring the construction and occupancy standards of buildings for the purpose of fire prevention;
- Providing educational programs related to fire prevention; and

- Performing other duties as may be required by law.

(See Boards, Commission, and Committees.)

Human Resources

The Department of Human Resources (DHR) is the central personnel staff agency for the City and County of Honolulu. It establishes a comprehensive personnel management program based on merit principles and generally accepted methods governing the classification of positions and the employment, conduct, movement, and separation of public employees. DHR is also charged with building a career service designed to attract, select, and retain, on a merit basis, the best qualified civil servants.

The Director of Human Resources represents the Mayor in the collective bargaining process and directs and coordinates an employee-management relations program for the City. In addition, DHR carries out programs in the areas of training, safety, workers' compensation, health services, incentives and awards, and employee assistance.

The Department is organized into five major functional divisions: Classification and Pay, Employment and Personnel Services, Health Services, Industrial Safety and Workers' Compensation, and Labor Relations and Training.

Information Technology

The Department of Information Technology (DIT) provides information technology support, guidance, and direction to the Mayor and city agencies to enable them to serve the public in a cost-effective and efficient manner. It also provides limited computer services to other governmental and non-governmental agencies doing business with the City.

DIT is responsible for maintaining the City's main computer facility and providing citywide network connectivity twenty-four hours a day, seven days a week.

Medical Examiner

The Department of the Medical Examiner (MED) serves the public through the investigations of sudden, unexpected, violent, and suspicious deaths. The purpose of such investigations is to discover, document, and preserve the medical, anatomic, or evidentiary findings which will allow the Department to determine the cause and manner of death, to identify the time of death and injury, to prove or disprove an individual's guilt or innocence, to confirm or deny the account of how the death occurred, to determine or exclude other contributory or causative factors to the death, and to provide expert testimony in criminal and civil litigation.

MED is staffed by physicians specialized in forensic pathology, medical examiner's investigators, laboratory technologists, autopsy assistants, and clerical personnel.

Parks and Recreation

The Department of Parks and Recreation manages, maintains, and operates all parks and recreation facilities of the City; develops and implements programs for cultural and recreational activities; and beautifies the public streets of the City. Its mission is to enhance the leisure lifestyle and quality of life for the people of Oahu through active and passive recreational opportunities.

There is an advisory Board of Parks and Recreation that consists of nine members who are appointed by the Mayor and confirmed by the City Council. The Board advises the Mayor, the City Council, and the Director on matters relating to recreation and cultural activities and associated facilities. (See Boards, Commissions, and Committees.)

Planning and Permitting

The Department of Planning and Permitting is responsible for the City's long-range planning and community planning efforts and for the administration and enforcement of ordinances and regulations governing the development and use of land, various codes pertaining to the construction of buildings, and city standards and regulations pertaining to infrastructure requirements. The Department oversees the following five commissions, boards, and committees: Planning Commission, Zoning Board of Appeals, Building Board of Appeals, Design Advisory Committee, and the Mayor's Historic Preservation Committee. (See Boards, Commissions, and Committees.)

Honolulu Police Department

The Honolulu Police Department serves as the primary law enforcement agency for the City and County of Honolulu.

The Chief of Police directs the operation and administration of the Department and is responsible for the following:

- Preservation of the public peace;
- Protection of the rights of persons and property;
- Prevention of crime;
- Detection and arrest of offenders against the law;
- Enforcement and prevention of violations of state laws and city ordinances; and

- Service of processes and notices in civil and criminal proceedings.

The Chief of Police is appointed and removed by the Honolulu Police Commission. (See Boards, Commissions, and Committees.)

Transportation Services

The Department of Transportation Services is responsible for the efficient, safe, and expeditious movement of traffic on city streets and roadways and for planning and coordinating public mass transportation systems and facilities. The City Charter ascribes the following responsibilities to the Department:

- Plan, design, operate, and maintain transportation systems to meet public needs.
- Locate, select, install, and maintain traffic control facilities and devices and street lighting systems;
- Approve plans and designs for the construction, reconstruction, and widening of public streets and roads;
- Provide educational programs to promote traffic safety; and
- Promulgate rules and regulations for the use of streets and roadways in accordance with standards established by law.

Neighborhood Commission Office

The Neighborhood Board system was created in 1972 to assist in the formation and operation of elected neighborhood boards on Oahu. The purpose of this system is to provide a mechanism to increase and assure resident participation in the process of government decision-making. Administrative and technical staff to support the mandated functions of the Neighborhood Commission and the neighborhood boards is provided through the Neighborhood Commission Office. (See Boards, Commissions, and Committees.)

Oahu Civil Defense Agency

The Oahu Civil Defense Agency (OCDA) develops, prepares for, and under disaster or emergency situations, assists in the implementation of civil defense plans and programs to protect and promote the public health, safety, and welfare of the people of the City. In addition, the Agency coordinates the civil defense activities and functions of the City with those of the state and federal governments and other public or private organizations for civil defense within the City and County of Honolulu.

Each county civil defense agency is considered a branch of State Civil Defense and the mayors are deputy civil defense directors.

Threats and hazards against which the efforts of OCDA are directed include hurricanes, earthquakes, tsunamis, flooding, high surf, and high winds; and human-caused disasters such as aircraft crashes, acts of terrorism, radiological incidents, marine and inland oil spills, and hazardous material releases.

Royal Hawaiian Band

The Royal Hawaiian Band serves as the official band of the City and County of Honolulu and has the distinction of being the only full-time municipal band in the nation and the only band in the United States of America established by a royal kingdom. The Band represents the City and County of Honolulu at public affairs and provides a wide variety of music for the educational and cultural needs of the community. Due to its cultural heritage, the Band endeavors to maintain its observance of and its participation in all events that were established during the Hawaiian monarchy era.

The Royal Hawaiian Band, made up of forty full-time positions, functions as a concert band, a marching band, and a glee club ensemble. The administrative and operational affairs of the Band are handled by the Bandmaster, assistant administrator, brass supervisor, woodwind supervisor, glee club leader, assistant conductor, drum major, librarian-in-charge, assistant librarian, field coordinator, and senior clerk-typist. With the exceptions of the Bandmaster and the senior clerk-typist, the other positions are dual positions -- they are musicians in the Band in addition to their administrative and staff responsibilities.

Board of Water Supply

The mission of the Board of Water Supply (BWS) is to provide Oahu residents with safe and dependable drinking water service at reasonable cost. Its operations and projects are funded by its water sales.

This is a semi-autonomous agency governed by a seven-member board which appoints the BWS Manager and Chief Engineer, who in turn supervises the agency's daily operations, the Deputy Manager's office, and three staff offices: Community Relations Office, Management and Budget Office, and Personnel Office. (See Boards, Commissions, and Committees.)

The Manager also supervises the eight BWS Divisions: Automotive, Computer Services, Customer Service, Field Operations, Finance, Land, Planning and Engineering, and Plant Operations. (See Boards, Commissions, and Committees.)

BOARDS, COMMISSIONS, AND COMMITTEES

These are descriptive summaries of the functions and responsibilities of city boards, commissions, and committees. Most of these bodies are advisory in nature and were established in order to provide government agencies with citizen participation. Members of these bodies are appointed by the Mayor and confirmed by the City Council, except where otherwise noted. Members do not receive salaries or pay.

Major Boards and Commissions

Board of Water Supply

Seven members, five-year staggered terms. (Includes two ex-officio members: the Chief Engineer of the City Department of Public Works and the Director of the State Department of Transportation).

The Board of Water Supply sets policies and prescribes regulations for the management, control, and operation of the public water systems on Oahu and the properties of these systems, and fixes and adjusts rates and charges for the furnishing of water services. The Board also appoints the Manager and Chief Engineer of the Board of Water Supply.

Fire Commission

Five members, five-year staggered terms.

The Fire Commission appoints the Fire Chief and reviews and makes recommendations on the following: the annual budget of the Fire Department prepared by the Chief, as necessary; the Department's operations for the purpose of recommending improvements to the Fire Chief; evaluates at least annually the performance of the Fire Chief and submits a report to the Mayor and the City Council; reviews personnel actions within the Department for conformance with the policies of recruitment, promotion, and training; hears complaints of citizens concerning the Department or its personnel, and, if deemed necessary, makes recommendations to the Fire Chief on appropriate corrective actions; submits an annual report to the Mayor and the Council on its activities; does not interfere in any way with the administrative affairs of the Department.

Liquor Commission

Five members, five-year staggered terms.

The Liquor Commission issues liquor licenses and oversees the activities of licensees according to state law and its own regulations.

Planning Commission

Nine members, five-year staggered terms.

The Planning Commission advises the Mayor, City Council, and the Director of the Department of Planning and Permitting on matters relating to land use and development. The Commission reviews, holds public hearings, and makes recommendations on revisions and amendments to the General Plan and Development Plans. It also reviews and holds hearings on zoning ordinances and amendments thereto and on state Special Use Permits. In addition, the Commission comments on rules and regulations that deal with zoning and land subdivision as prepared for the Director of Planning and Permitting. The Planning Commission comes under the Department of Planning for administrative purposes.

Police Commission

Seven members, five-year staggered terms.

The Police Commission appoints the Chief of Police, reviews rules and regulations for the administration of the Police Department, and evaluates, considers, and investigates charges brought by the public against the conduct of the Police Department or any of its members. It also reviews the annual budget prepared by the Police Department and may make recommendations thereon to the Mayor.

Other Boards and Commissions

Honolulu Committee on Aging

Membership size is not fixed by law and terms are co-terminus with the Mayor. (It includes one elected official and one ex-officio liaison member from the State Policy and Advisory Board on Elderly Affairs.

The Honolulu Committee on Aging advises the Mayor and the Elderly Affairs Division, Department of Community Services, on issues, problems and needs of older people in the community. Sub-committees on Advocacy, Planning, and Senior Recognition assist with policy and program development.

Honolulu County Arborist Advisory Committee

Five members, terms co-terminus with the Mayor (includes one ex-officio member, the Director of the Department of Planning and Permitting.)

The County Arborist Advisory Committee researches, prepares, and recommends to the City Council trees of exceptional character to be protected by ordinance, advises property owners

relative to the preservation and enhancement of "exceptional" trees, reviews all actions deemed necessary by the Council to protect endangered "exceptional" trees, and recommends to the Council appropriate protective ordinances, regulations, and procedures. The County Arborist Committee is mandated by Act 105, Session Laws of Hawaii 1975.

Mayor's Advisory Committee on Bicycling

Presently eight members; the number of members is not limited; terms are co-terminus with the Mayor.

The Mayor's Advisory Committee on Bicycling advises the Mayor on the City's planned and existing bikeways, promotes safety and education programs for bicyclists, and seeks to improve communication and interactions between public and private agencies concerned with bicycling.

Mayor's Beautification Advisory Committee

Eighteen members, number of members not limited.

The work of the Mayor's Beautification Advisory Committee includes identifying areas within city public rights-of-way that may be enhanced by beautification landscaping, and helping to identify resources for the maintenance of beautification projects once they are completed.

Child Care Advisory Board

Nine members (four members are appointed by the Mayor, four by the City Council, and the ninth member is appointed by the Mayor and confirmed by the Council).

The Child Care Advisory Board advises on the means to encourage the private sector to become partners with the City in expanding child care services, and to increase the public's awareness of child care issues; it also serves as a forum for the community to address child care needs and consider appropriate actions for public and private implementation.

Building Board of Appeals

Nine members, five-year staggered terms.

The Building Board of Appeals hears and determines appeals regarding decisions of officials of the Department of Planning and Permitting in the administration of building, electrical, plumbing, housing, and fire codes. The Board also hears and determines requests for code variances.

Citizens Advisory Commission on Civil Defense

Five members, five-year staggered terms.

The Citizens Advisory Commission on Civil Defense advises the Mayor, the City Council, and the Oahu Civil Defense Administrator on matters pertaining to disaster emergency planning and operations, and promotes community participation, understanding, and interest in civil defense preparation.

Civil Service Commission

Five members, five-year staggered terms.

The Civil Service Commission advises the Mayor and the Director of the Department of Human Resources on matters concerning personnel administration, advises and assists the Director in fostering the interest of institutions of learning and civic, professional, and employee organizations in the improvement of personnel standards, makes any investigation which it may consider desirable concerning personnel administration, hears appeals, and prescribes rules and regulations.

Commission on Culture and the Arts

Eleven members, five-year staggered terms.

The Commission on Culture and the Arts assists the City in the preservation of the artistic and cultural heritages of all people residing in Honolulu. The Commission also makes recommendations concerning the "Art in City Buildings Ordinance" in connection with the acquisition of art works and the acceptance of works of art offered as gifts.

Recommendations are made in the area of community aesthetics to the executive and legislative branches of the City after reviewing all planned and existing city buildings, grounds and facilities.

Mayor's Committee for People with Disabilities

Membership size not fixed by law, terms co-terminus with the Mayor.

The Mayor's Committee for People with Disabilities makes recommendations on modifications to public facilities, such as curb ramps and TheBus operations, and generally advocates, promotes, and advises on how the special needs of the disabled community can be better served and interwoven with those of the general community.

Design Advisory Committee

Eight members whose terms are co-terminus with the Mayor.

The Design Advisory Committee advises the Department of Planning and Permitting on design issues related to project proposals; reviews applications, and assesses appropriateness and conformity to design standards and guidelines for development within the Special Districts.

Mayor's Emergency Medical Services Advisory Council

At least 11 voting members, no more than twenty members including ex-officio. Staggered terms, minimum of two years, one-third of terms expire each year; terms co-terminus with the Mayor.

The Emergency Medical Services Advisory Council advises the Mayor, Honolulu Emergency Services, and the State's Department of Health and Emergency Medical Services Advisory Committee on matters relating to emergency medical services on Oahu.

Ethics Commission

Seven members, five-year staggered terms.

The Ethics Commission determines whether there have been any violations of the standards of conduct provisions of the Honolulu City Charter or ordinances by any officer or employee of the City and County of Honolulu. It recommends disciplinary action through advisory opinions to the appointing authority.

Neighborhood Commission

Nine members, five-year staggered terms. (Four members are appointed by the Mayor, four by the City Council; one is appointed by the Mayor and confirmed by the Council).

The Neighborhood Commission periodically reviews and evaluates the effectiveness of the Neighborhood Plan and the Neighborhood Boards. The Commission also assists in the formation of Neighborhood Boards and the operation of Neighborhood Boards, upon request.

Board of Parks and Recreation

Nine members, five-year staggered terms.

The Board of Parks and Recreation advises the Mayor, City Council, and Director of Parks and Recreation on matters relating to recreational, cultural, and entertainment activities and facilities of the City and County.

County Pension Board

Five members, five-year staggered terms.

The County Pension Board administers the pension system for employees and their beneficiaries who are ineligible for benefits under the State Employees' Retirement System and who are not recipients or beneficiaries of pensions from the State or other counties.

Police Officers, Firefighters, and Bandsmen Pension Board

Three members, five-year terms.

The Police Officers, Firefighters, and Bandsmen Pension Board administers the county pension system for police officers, firefighters, bandsmen, and their beneficiaries who are ineligible for benefits under the State Employees' Retirement System and who are not recipients or beneficiaries of pensions from the State or other counties.

Board of Review I (Real Property Tax Assessment) Board of Review II

Five members per board, five-year staggered terms.

Although attached to the Real Property Assessment Division of the Department of Budget and Fiscal Services for administrative and clerical assistance, the Boards of Review are independent bodies established to settle disputes between the taxpayer and the real property tax assessor. While most cases settled by the Boards involve differences of opinion over the assessed valuation of real property, the Boards also decide issues involving the disallowance of exemptions by the assessor.

Honolulu County Committee on the Status of Women

Membership size is not fixed by law, four-year staggered terms.

The Honolulu County Committee on the Status of Women advises the Mayor and the State Commission on the Status of Women on matters of concern to Oahu's women. Its duties include the public recognition of women's contributions, assessment of changes in women's status and promotion of equality for both sexes.

Zoning Board of Appeals

Five members, five-year staggered terms.

The Zoning Board of Appeals hears and determines appeals regarding decisions of the Director of Planning and Permitting in the administration of zoning and subdivision ordinances and related rules and regulations. The Board also hears requests for variances from the Land Use Ordinance.

Transportation Commission

Seven members, five-year staggered terms.

The Transportation Commission annually evaluates the performance of the Director of the Department of Transportation Services, reviews and makes recommendations on rules concerning the administration and operation of the Department, the Department's annual budget, changes to the public transit fare structure when deemed necessary, and on the performance of public transit and other transportation system contractors under the jurisdiction of the Department; does not interfere in any way with the administrative affairs of the Department.

Oahu Workforce Investment Board

Fifty-one members appointed by the Mayor.

The Oahu Workforce Investment Board replaced the Oahu Private Industry Council and was created in response to the passage of the federal 1998 Workforce Investment Act. The Act mandated local governments to establish training and employment programs designed to meet the needs of local businesses and the needs of job seekers including those who want to further their careers. WIB is responsible for the development of a local strategic workforce investment plan for the City and County of Honolulu.

Board of Public Golf Courses

Seven members appointed by the Mayor.

The Board of Public Golf Courses is vested with the responsibility of advising the Mayor, the City Council, and the Director of Enterprise Services on matters related to the services provided by public golf courses under the City's jurisdiction.

Historic Preservation Advisory Committee

Seven members appointed by the Mayor; terms are co-terminus with the Mayor.

The Historic Preservation Advisory Committee provides advice to the Mayor and the Director of Planning and Permitting on matters relating to the preservation of historic artifacts, sites, buildings, and all other properties of historic significance to the people of the City and County of Honolulu.

PROSECUTING ATTORNEY

The Department of the Prosecuting Attorney is headed by a Prosecuting Attorney who is elected for a four-year term coinciding with the term of the Mayor. The Prosecuting Attorney must be an attorney licensed to practice law and in good standing before the Hawaii Supreme Court, shall have engaged in the practice of law for at least five years, and have been actively involved with criminal cases for at least three of the ten years preceding election to office. The Prosecuting Attorney has authority to appoint deputy prosecutors, administrative or executive assistants, and other necessary staff, including investigators who have all the powers and privileges of a police officer of the City.

The Prosecuting Attorney attends all courts in the City and conducts, on behalf of the people, all prosecutions therein for offenses against the laws of the State and the ordinances and rules of the City.

COUNTY OF HAWAII

The County of Hawaii consists of the island of Hawaii and all other islands within three nautical miles of its shores, and the adjacent waters thereto. The County is a corporate body with all powers authorized by the State Constitution, the laws of the State of Hawaii, and the Hawaii County Charter.

LEGISLATIVE BRANCH

County Council

The legislative branch of the County is the nine-member Hawaii County Council. All Councilmembers are elected from single-member districts for two-year terms. Each member must qualify under the Charter's district residency requirement and as such, must reside in the council district he or she represents.

The Council's primary responsibilities are formulating public policy, setting goals, and providing legislative directions for implementation by the Mayor and the executive administration. In this process, through the adoption of laws, it enacts and amends the general plan which provides policy guidelines for the long-range comprehensive physical development of the County, adopts the annual operating and capital budgets, and sets the real property tax rate.

County Council Employees

The County Clerk and the Deputy County Clerk are appointed by the Council. The Clerk serves as the custodian of the county seal, is the repository of all public records, and provides clerical and stenographic services to the Council and its committees. The Clerk is also the Chief Elections Officer of the County. With approval of the Council, the Clerk appoints the Legislative Auditor and other necessary staff members and performs other functions prescribed by the Council.

EXECUTIVE BRANCH

The Executive Branch of the County of Hawaii is comprised of the Office of the Mayor and all other executive departments and agencies of the County created by the Charter or ordinance. Executive departments are under the general administrative supervision of the Mayor or supervision of the Managing Director or commissions. The Prosecuting Attorney, an elected officer, is within the Executive Branch.

Mayor

The chief executive officer of the County is the Mayor who is vested with and exercises the executive powers of the County, except as otherwise provided by the Charter. In this regard, the Mayor is responsible for enforcing the provisions of and executing the duties conferred by the Charter, ordinances, and other applicable laws. These responsibilities include:

- (1) Direct supervision of departments and agencies when specified by the Charter;
- (2) Supervision and coordination, through the Managing Director, of all other departments and agencies;
- (3) Administration of personnel through appointment, transfer, and creation and abolishment of positions, and recommendation of a pay plan to the Council for personnel whose compensation is not otherwise provided;
- (4) Annual submission of the operating budget and the capital budget and program;
- (5) Making periodic as well as annual reports informing the public of county policies, programs, and operations; and
- (6) Approving or vetoing bills for ordinances.

The Mayor is elected for a term of four years. The Mayor may serve for more than two terms, but not for more than two full terms consecutively.

MANAGING DIRECTOR

The Mayor appoints and may remove the Managing Director who is within the Office of Management and serves as the Mayor's principal management aide. Generally, the Managing Director performs all duties required by the Charter, or assigned by the Mayor. One of these duties requires the Managing Director to supervise the administrative functioning of all county departments and agencies. In addition, the Managing Director advises the Mayor concerning the operation of, investigates and studies the internal organization and procedures of, and prescribes standards of administrative practices for, departments and agencies under the Managing Director's supervision. The Managing Director also attends meetings of the Council and other bodies upon the request of the Mayor or the Council.

Agencies Directly Under the Managing Director

Office of the Corporation Counsel

The Office of the Corporation Counsel consists of the Corporation Counsel, Assistant Corporation Counsel, and necessary staff. The Corporation Counsel is appointed by the Mayor

and confirmed by the Council, and may be removed by the Mayor with the approval of the Council, and must be an attorney licensed to practice law and in good standing before the Hawaii Supreme Court. Similarly, the Assistant Corporation Counsel must have those qualifications, but is appointed and may be removed by the Corporation Counsel.

The Corporation Counsel is the chief legal advisor and legal representative of all agencies, the Council, and all other officers and employees in matters relating to their official powers and duties. The Corporation Counsel also represents the County in all legal proceedings and performs all other services incident to the office as may be required by law, the Charter, or ordinance.

Board of Ethics. The Charter requires the Council to adopt by ordinance a Code of Ethics. The Board of Ethics interprets the Code for both county officials and the public. The Board also receives and initiates complaints, and investigates and holds hearings on alleged violations of the Code.

The five members of the Board of Ethics are residents of the County and are appointed by the Mayor with the approval of the Council to five-year terms.

Department of Finance

The Department of Finance is headed by a Director of Finance who is appointed by the Mayor, confirmed by the Council and may be removed by the Mayor, and serves as the finance officer of the County. As the finance officer, the Director handles the County's financial administration, real property tax assessment and collection, accounts, and other revenue collections, obligation loan negotiations, bond sales, payroll, and purchasing when not in conflict with the Charter. The Director also assists the Mayor in the preparation and execution of the operating budget and program and capital improvement budget and program and issues monthly statements of revenues and expenditures. In addition, the Director maintains an inventory of land and equipment controlled by the County. The Director also performs the duties and functions of the treasurer and auditor of the County which are provided by law, except when in conflict with the Charter. The Director also exercises other powers and performs other duties as may be prescribed by the Charter, ordinance, or law, or by the Mayor.

Pension Board. The Pension Board is attached to the Department of Finance and manages and governs the police officers', fire fighters', and band members' pensions system and the county pension system for employees ineligible under the State Employees' Retirement System.

The Pension Board consists of five members appointed by the Mayor and confirmed by the Council. The County Clerk and the Director of Finance are ex officio members serving as the secretary and treasurer, respectively.

Tax Board of Review. The Tax Board of Review hears all disputes between the Director and any taxpayer in all cases in which appeals have been duly taken, and the fact that a notice of

appeal has been duly filed by a taxpayer shall be conclusive evidence of the existence of a dispute.

The Board consists of five members appointed by the Mayor with the approval of the Council for terms of five years.

Planning Department

The Planning Department consists of the Planning Director, Planning Commission, and necessary staff.

Planning Director. The Planning Director is the administrative head of the Planning Department and, consequently, serves as the chief planning officer of the County and technical advisor to the Mayor and Council on planning and related matters. The Planning Director prepares a proposed general plan to guide the development of the County which is submitted to the Council. The Planning Director prepares proposed zoning and subdivision ordinances and regulations and, in this regard, approves proposed subdivision plans if in conformity with subdivision ordinances and rules. The Planning Director reviews and prioritizes contemplated capital improvements of the County.

The Planning Director is appointed by the Mayor and confirmed by the Council, and may be removed by the Mayor.

Planning Commission. The Planning Commission reviews and makes recommendations relating to the county general plan, zoning ordinances, subdivision ordinances, and planning programs. The Planning Commission hears and decides special exemptions from the permitted uses for each district pursuant to the zoning ordinance upon which the Commission is required to pass, and hears, decides, and holds public hearings on requests for variances and special exceptions to zoning and subdivision ordinances. The Planning Commission adopts rules having the force and effect of law pursuant to subdivision and zoning ordinances.

The Commission consists of nine members appointed by the Mayor with the approval of the Council for terms of five years. Membership is representative of the nine council districts. In addition, the Director of Public Works and the Manager of the Department of Water Supply serve as ex officio nonvoting members.

Board of Appeals. The Board of Appeals consists of five members who are appointed by the Mayor with the approval of the Council for terms of five years. The Board hears and decides appeals from the actions of the Planning Director in the administration of subdivision and zoning ordinances and rules. In performing this function, an appeal is sustained only if the Board finds that the action of the Director was based on an erroneous finding of material fact, or that the Director or Planning Commission acted in an arbitrary or capricious manner or manifestly abused their discretion.

Department of Research and Development

The Department of Research and Development consists of the Director of Research and Development and necessary staff. The Director is appointed by the Mayor, confirmed by the Council, and may be removed by the Mayor. The Director provides the data necessary for managerial and legislative programs, policy-making and decision-making; provides leadership and guidance on public or private development programs which enhance improvement of the county community, and coordinates informational and regulatory knowledge of all federal and state grant-in-aid programs which affect the County.

Department of Public Works

The Department of Public Works is responsible for all matters relating to engineering; public and private building construction and inspection; construction, inspection and maintenance of public streets, highways, bridges and drainage facilities; acquisition of public and private properties for public purposes; design, operation and maintenance of traffic signals and traffic control devices; and all other public works projects, except for matters relating to parks and recreation, environmental management, and water supply. The Department is also a key support agency for Civil Defense emergencies.

The Department of Public Works consists of a Director who must be a registered professional engineer, and necessary staff. The Director is appointed by the Mayor and confirmed by the Council, and may be removed by the Mayor.

The Director is responsible for the construction, maintenance, and operation of county buildings and grounds except for those delegated to other departments; administration and enforcement of the Building Code, Electrical Code, Housing Code, Plumbing Code, and other relevant ordinances; and for the administration of personnel.

Department of Parks and Recreation

The Department of Parks and Recreation administers, supervises, and maintains all public parks, recreational facilities, playgrounds, and appurtenant equipment and supplies owned, possessed, or controlled by the County. The Department is also authorized to care for the recreational needs of and provide organized, supervised games and recreation for the people of the County.

A Parks and Recreation Director, who is appointed by the Mayor, confirmed by the Council, and may be removed by the Mayor, heads the Department.

County Bands. For administrative purposes, the county bands are within the Department of Parks and Recreation. Bandmasters are appointed and may be removed by the Mayor.

Data Systems Department

The Data Systems Department consists of a Director of Data Systems and necessary staff. The Director is appointed by the Mayor and confirmed by the Council.

The Data Systems Department operates the County's central data processing system and coordinates and oversees the operations of departmental data processing systems, except for the Department of Water Supply. The Department provides technical expertise and assistance in the development of management information for all county departments.

Department of Environmental Management

The Department of Environmental Management consists of a Director and necessary staff, and an Environmental Management Commission.

Environmental Management Director. The Environmental Management Director is the administrative head of the Department of Environmental Management and manages the solid waste, wastewater, and recycling programs of the County.

The Environmental Management Director is appointed by the Mayor and confirmed by the Council, and may be removed by the Mayor.

Environmental Management Commission. The Environmental Management Commission shall advise the Department on waste reduction strategies, recycling, litter control, community involvement, and other issues related to the functions of the Department.

The Commission consists of nine members appointed by the Mayor, and confirmed by the Council. Membership is representative of the nine council districts. The terms of the members are staggered terms of five years as prescribed by section 13-4 of the County Charter.

Mass Transit Agency

The Mass Transit Agency provides affordable and cost-effective transportation services for the County. These services include bus service, shared-ride taxi service, and ride-matching services. The Agency is headed by the Transit Operations Administrator who is appointed by the Mayor and may be removed by the Mayor.

Transportation Commission. The Transportation Commission has general supervision over carriers, including taxicabs, and performs the duties and exercises the powers imposed or conferred upon it by Division 3 of Articles 1 and 2 of Chapter 18 of the Hawaii County Code. The Commission also serves as an advisory body to the Mass Transit Agency and advises the Mayor and Council on other transportation-related matters upon request.

The Commission consists of nine members appointed by the Mayor with the approval of the Council for terms of five years. Membership is representative of the nine council districts.

Civil Defense Agency

The Civil Defense Agency is the emergency management agency for the County. Its responsibilities are to direct and coordinate the development and administration of the County's total disaster preparedness and response program and to ensure prompt and effective action when natural or man-caused disaster threatens or occurs anywhere in the County; and in emergencies, to direct and coordinate warning-evacuation of affected areas and other disaster response operations to protect life and property, and to maintain or restore essential services and facilities, and to coordinate requests from individuals and agencies for operational assistance and recovery operations. The Agency maintains liaison and cooperates with the State to ensure that the County's plans and programs with respect to disasters and emergencies are fully integrated with those of the state and federal governments.

Office of Aging

Act 198, Session Laws of Hawaii 1963, created the State Commission on Aging and corresponding County Committees on Aging to advise and assist all levels of government in the formulation and development of programs to meet the specific needs and requirements of older adults. The Hawaii County Committee on Aging was established in 1966. In 1975, the Committee became the Hawaii County Office of Aging and received federal designation as an Area Agency on Aging enabling the County to receive federal funds through the Older Americans Act of 1965. The administrative head is the County Executive on Aging.

Office of Housing and Community Development

The Office of Housing and Community Development is responsible for the planning, administration, and operation of all the County's housing programs. Its overall goal is to provide for the development of viable communities in the County by providing decent housing, suitable living environments, and expanding economic opportunities.

Departments Administered by Board or Commission

Department of Civil Service

The Department of Civil Service is the central personnel agency for the County and is under the general supervision and control of the Mayor. It consists of the Civil Service Commission, the Director of Civil Service, and necessary staff.

Civil Service Commission. The Civil Service Commission consists of five members appointed to terms of five years by the Mayor with the approval of the Council. Members are representative of the community and must be in sympathy with and believe in the principles of the merit system in public employment.

Director of Civil Service. The Director of Civil Service, who is appointed and may be removed by the Civil Service Commission, serves as the administrative head of the Department and is responsible for the personnel management program of the County with two distinct categories of duties:

- (1) Major duties in the areas of equal employment opportunities and personnel development, deployment, relations, and welfare.
- (2) Secondary duties in the administration of the civil service system and maintenance of the aims and mechanics prescribed by law.

Salary Commission. The salaries of all county elected officials and appointed directors and deputy directors of departments and executive agencies are established by the Salary Commission. The Commission is made up of nine members appointed by the Mayor with the approval of the Council. Membership is representative of the nine council districts. The Civil Service Director and Deputy Civil Service Director serve as ex officio members in an advisory capacity.

Division of Industrial Safety. The Division of Industrial Safety has as its primary goal the development and implementation of a safe and healthy work environment for all County employees. The Division administers all phases of safety, equipment, driver training, and workers' compensation programs. The Division is headed by the Safety Coordinator who is appointed and may be removed by the Mayor.

Fire Department

The Fire Department consists of a Fire Chief, a Deputy Fire Chief, a Fire Commission, and necessary staff.

Fire Commission. The Fire Commission consists of nine members, one from each of the nine county council districts, appointed by the Mayor with the approval of the Council. The Commission's duties include adopting rules necessary for administering matters within its jurisdiction and reviewing rules of the Department; reviewing the annual budget prepared by the Fire Chief; evaluating the performance of the Fire Chief; reviewing personnel actions within the Department; and hearing complaints of citizens concerning the Department or its personnel.

Fire Chief. The Fire Chief, who is appointed and may be removed by the Fire Commission, serves as the administrative head of the Fire Department.

Department of Liquor Control

The Department of Liquor Control consists of the Liquor Commission, Liquor Control Adjudication Board, Director of the Department, and necessary staff.

Liquor Commission. The Liquor Commission consists of nine members appointed by the Mayor with the approval of the Council to terms of five years. Membership is representative of the nine council districts.

The Liquor Commission adopts rules for the administration of liquor control in the County and carries out provisions of the liquor control laws of the State; grants, renews, or refuses applications for licenses to manufacture, import, or sell liquor in the County; and exercises such other powers and duties as provided by law.

Liquor Control Adjudication Board. The Liquor Control Adjudication Board consists of five members appointed by the Mayor with the approval of the Council to terms of five years. The Board hears and determines complaints regarding violations of the liquor control laws of the State and rules of the Liquor Commission. The Board is also empowered to impose fines or penalties as provided by law.

Director of the Department of Liquor Control. The Director of the Department of Liquor Control, who is appointed and may be removed by the Liquor Commission, serves as the administrative head of the Department. Generally, the Director provides clerical and administrative services to the Liquor Commission and the Liquor Control Adjudication Board and investigates alleged violations of liquor control laws and rules.

Police Department

The Police Department consists of a Police Commission, Chief of Police, a Deputy Chief of Police, and necessary staff.

Police Commission. The Police Commission consists of nine members, one from each of the nine county council districts, appointed by the Mayor with the approval of the Council. The Commission's duties include: adopting rules necessary for administering matters within its jurisdiction and reviewing rules of the Department; reviewing the annual budget prepared by the Chief of Police; receiving, considering, and investigating charges brought by the public against the conduct of the Department or any of its members; and advising the Chief of Police on police-community relations.

Chief of Police. The Chief of Police, who is appointed and may be removed by the Police Commission, serves as the administrative head of the Police Department.

Department of Water Supply

The Department of Water Supply is a semi-autonomous agency consisting of a Water Commission, Manager, and necessary staff. It is under the general supervision and control of the Mayor.

Water Commission. The Water Commission consists of nine members appointed by the Mayor with the approval of the Council for terms of five years. Membership is representative of the nine council districts. The Manager of the Department of Water Supply, Planning Director, and Chief Engineer, or their designated representatives, serve as ex officio nonvoting members.

To the extent not subject to the control of the State Commission on Water Resource Management, the Water Commission manages, controls, and operates the waterworks of the County, adopts rules necessary for the performance of these functions, adopts an annual operating and capital budget, and exercises such other powers and duties as provided by law. The Water Commission is empowered to acquire and dispose of real property and issue revenue bonds.

Manager of the Department of Water Supply. The Water Commission appoints and may remove the Manager of the Department of Water Supply. The Manager serves as the administrative head of the Department and must be a registered engineer.

PROSECUTING ATTORNEY

The Prosecuting Attorney is elected to a term of four years. The Prosecuting Attorney must be an attorney licensed to practice law and in good standing before the Hawaii Supreme Court, a citizen of the United States, and a duly qualified elector of the County for at least one year immediately preceding election.

The Prosecuting Attorney attends all courts in the county and prosecutes offenses against state law and county ordinances and regulations on behalf of the people; prosecutes offenses against state laws under authority of the Attorney General; appears in and prosecutes every criminal case where there is a change of venue and the case is removed from the County; institutes proceedings for the arrest of persons charged with or suspected of public offenses; takes charge of criminal cases before the Family, District, Circuit, and Appellate Courts; draws indictments for, attends, and presents cases for the grand jury's consideration; and investigates all matters that properly come before the Prosecutor's office. The Prosecutor provides victim services, extradition, and missing children entries into the National Crime Information Center system and various initiatives to improve the criminal justice system.

COUNTY OF KAUAI

The County of Kauai consists of the islands of Kauai and Niihau, all other islands lying within three nautical miles of the shores thereof, and the waters adjacent thereto. Lihue is the county seat. The County is a corporate body with all powers authorized by the State Constitution, the laws of the State of Hawaii, and the Kauai County Charter.

LEGISLATIVE BRANCH

The legislative power of the County of Kauai is vested in and exercised by the County Council, except as otherwise provided by the Charter.

County Council

The County Council consists of seven members who must be citizens of the United States and have been duly qualified electors of the County for at least two years immediately preceding election or appointment. Members are elected at large for terms of two years.

Council powers include the authority to enact zoning ordinances; exercise eminent domain powers; formulate and enact an annual operating and capital budget; adopt a pay plan for employees exempt from civil service; authorize and issue general obligation, improvement, and revenue bonds; borrow money on anticipated tax collections; investigate the operation of any county agency or function and any subject legislated upon; and adopt a general plan for the County. The Council, however, is expressly forbidden to interfere with the administrative processes delegated to the Mayor.

County Clerk. The County Clerk, who serves as the Clerk of the Council, is in charge of materials filed with the office, including legislation enacted by the Council and rules adopted by county agencies, and the county seal, and performs other functions required by law, the Charter, or the Council. The Clerk conducts all elections held in the County.

The County Clerk is appointed and may be removed by the Council.

EXECUTIVE BRANCH

The executive power of the County is vested in and exercised by the Executive Branch, which is headed by the Mayor.

Mayor

The Mayor is elected for a term of four years. The Mayor must be a citizen of the United States, not less than thirty years of age, and a duly qualified resident elector of the County for at least three years immediately prior to election.

The Mayor exercises direct supervision over executive departments and coordinates all administrative activities; creates and abolishes authorized county government positions and appoints necessary staff; submits annual operating and capital budgets with capital programs; signs instruments requiring execution by the County; presents necessary or expedient messages or information to the Council; makes annual and periodic reports pertaining to county policies, programs, and operations; approves or vetoes ordinances and resolutions pertaining to eminent domain; enforces the provisions of the Charter, ordinances, and other applicable laws; recommends pay plans for county employees exempt from civil service and position classification; and exercises other powers and performs other duties prescribed by the Charter or ordinance.

County Attorney

The County Attorney is appointed and may be removed by the Mayor with the approval of the Council. The County Attorney must be licensed to practice law and be in good standing before the Hawaii Supreme Court and have engaged in the practice of law in the State for at least three years.

The County Attorney serves as the chief legal advisor and legal representative of the Council and all county agencies, officers, and employees in matters relating to official powers and duties. The County Attorney also represents the County in all legal proceedings and performs other services required by law.

Civil Defense Agency

The Civil Defense Agency is responsible for planning and administering the County Civil Defense organization for national, natural, manmade, and local disasters. The Agency writes plans, develops and tests them, controls communication and warning systems, and develops shelters and radiological detection stations in the County. The Agency is headed by an Administrator who is hired by the Mayor through the civil service process.

Office of Economic Development

The Office of Economic Development works, in partnership with the community, to create economic opportunities towards the development of a healthy, stable and balanced economy for the residents of the County of Kauai.

The Office of Economic Development (OED), as a government entity, interfaces with business and community leaders as well as other government programs to enhance Kauai's economic development activities. OED is responsible for providing technical and financial support, as feasible, of both large and small business establishments or existing and emerging new industries which offer full employment of Kauai's residents.

The OED is also responsible for collecting data and maintaining statistical information and reports as a library resource for individuals and organizations updating economic or business plans. The general public has access to materials, documents and publications in the OED library. In addition, publications on federal and state grants, loans, or tax incentives are also available.

To carry out the functions of the OED, five sections are managed by staff specialists, under the direction of a department head, in the areas of tourism, film, agriculture, energy extension, and special grants to specific economic development projects. Each section's duties and responsibilities are directed toward accomplishment of the agency's overall mission.

Offices of Community Assistance

On June 30, 1999, the Kauai County Council passed Ordinance No 720, creating the Offices of Community Assistance (OCA), which consolidated three executive agencies under the Office of the Mayor: the Agency on Elderly Affairs, the County Housing Agency and the Transportation Agency. OCA is headed by a director who is appointed by the Mayor and confirmed by the County Council. The three divisions are each supervised by an executive on aging, an executive on housing and an executive on transportation, who report directly to the OCA Director.

The Agency on Elderly Affairs plans, supports, and advocates programs to promote the overall well-being of Kauai's older adults. It receives and disburses federal and state grants and donations for elderly services and collects data relative to the needs and conditions of Kauai's elderly. It administers and monitors programs in the areas of nutrition, leisure and educational activities, legal services, health screening and maintenance, transportation, case management, in-home housekeeping and personal care, day/respite care, and volunteerism. The Mayor appoints a fifteen-member Policy Council, which advises the Agency on matters that serve the interests of the elderly community.

The County Housing Agency's mission is to provide greater opportunities for Kauai's citizens to choose and secure affordable, safe, decent and sanitary housing and to live and work in neighborhoods and communities that can accommodate the needs and desires of all families and individuals. It plans, develops and monitors affordable housing (including the preservation of existing affordable housing) with government and private resources; provides research and community education regarding housing and community development needs; administers the U.S. Department of Housing and Urban Development's Section 8 rental assistance program; assists families to attain homeownership; and provides funding for community-based organizations with projects that promote economic opportunities and improve social well-being.

The Transportation Agency is in charge of providing an accessible public transit bus system serving the elderly and persons with disabilities, and offering an alternate means of mobility for Kauai's rural community. Its services to the elderly include trips to and from medical appointments, senior center activities, outreach to care homes, excursions, volunteer locations, and shopping. It also provides safe and reliable door-to-door transport for the disabled community, as well as maintaining a limited, fixed-route transit system (bus stops) for the general public.

ADA Coordinator

The ADA Coordinator falls under the Office of the Mayor and works with county departments to provide access to county services, programs, and facilities for persons with disabilities so that they have an equal opportunity to participate in the mainstream of public life as required by Title II of the Americans with Disabilities Act.

Department of Finance

The Department of Finance is headed by the Director of Finance who must have a minimum of five years of training or experience in fiscal management or accounting, including at least three years in a responsible administrative capacity. The Director is appointed and may be removed by the Mayor.

As the chief accounting, fiscal, and budget officer of the County, the Director prepares the annual budget bill under the direction of the Mayor; supervises and is responsible for the disbursement of county moneys; maintains a general accounting system and exercises budgetary control over each office; prepares quarterly statements of all receipts and disbursements in sufficient detail to show the exact financial condition of the County and a general projection of that condition; prepares a year-end fiscal statement and report; maintains the treasury; manages county funds; deposits moneys; issues, sells, pays interest on, and redeems bonds; acquires real or personal property for county use; rent or leases county property and awards concessions, except those controlled by the Board of Water Supply; maintains an inventory of property and equipment owned by the County; and performs other duties prescribed by law or assigned by the Mayor. In addition, the Director or a designated assistant and the County Clerk jointly verify the amount of money in the treasury at least once every three months.

Police Department

The Police Department consists of the Police Commission, Chief of Police, and necessary staff.

Police Commission. The Police Commission consists of five members appointed by the Mayor with the approval of the Council for staggered terms of three years. The Commission's

duties include adopting rules for the conduct of its business and matters relating to the goals and aims of the Department; reviewing the annual budget prepared by the Police Chief; and receiving and investigating charges brought by the public against the conduct of the Department or any of its members.

Chief of Police. The Chief of Police is appointed and may be removed by the Police Commission. The Chief of Police must have a minimum of five years of training and experience in law enforcement, at least three years of which must be in a responsible administrative capacity. The Chief's duties include the preservation of the public peace, prevention and detection of crimes, arrest of offenders, protection of the rights of persons and property, enforcement and prevention of violations of the law, maintenance and supervision of the police force, service of process in civil and criminal proceedings, the discipline or removal of officers or employees, and the exercise of other powers and duties prescribed by law or assigned by the Police Commission.

Fire Department

The Fire Department is headed by the Fire Chief who is appointed and may be removed by the Mayor. The Fire Chief must have a minimum of five years of training and experience in fire prevention and control in private industry or government service, of which at least three years must be in a responsible administrative capacity. The Fire Chief appoints, trains, supervises, and disciplines personnel in accordance with departmental and civil service rules; provides an effective program and leadership for county-wide fire prevention, fire control, rescue and Hazmat operations; controls, manages, and accounts for all property in the custody of the Department; and executes other powers and duties prescribed by law or assigned by the Mayor.

Department of Public Works

The Department of Public Works is headed by the County Engineer who is appointed and may be removed by the Mayor. The County Engineer must be a registered professional engineer and have a minimum of five years of training and experience in an engineering position, of which at least three years must have been in a responsible administrative capacity. The County Engineer performs all engineering, designing, planning, construction, maintenance, and repair of county facilities and improvements; collects and disposes of garbage and refuse; examines and enforces construction requirements and standards in accordance with the building code, subdivision code, and other rules of the County; designs, installs, and maintains traffic control devices and the street lighting system; and performs other duties prescribed by law or assigned by the Mayor.

Planning Department

The Planning Department consists of the Planning Commission, Planning Director, and necessary staff.

Planning Commission. The seven members of the Planning Commission are appointed by the Mayor with the approval of the Council to staggered three-year terms. At least two members must be knowledgeable about environmental concerns, two members about business concerns, and two members about organized labor concerns. The Commission has review functions concerning the proposed general plan, development plans, zoning and subdivision ordinances, and any modifications or amendments. After performing reviews, its recommendations are transmitted to the Council through the Mayor. The Commission hears and determines petitions for variances; advises the Mayor, Council, and Planning Director in matters concerning the county planning program; adopts rules pertaining to the responsibilities of the Department; prepares a capital improvement program with the advice of the Mayor complementing and reflecting state and federal programs for the County; and performs other duties necessary to fulfill its responsibilities.

Planning Director. The Planning Director is appointed and may be removed by the Planning Commission and serves as the administrative head of the Department. The Planning Director must have a college degree in planning, engineering, or architecture, or a minimum of five years of training and experience in a responsible planning position, of which at least three years must be in an administrative capacity in charge of major planning activities.

The Planning Director's duties include the preparation of the county general and development plans; preparation and administration of zoning and subdivision ordinances, and rules; consolidation and prioritization of the County's lists of proposed capital improvements; and advising the Mayor, Council, and Planning Commission on matters concerning the County's planning programs.

Kauai Historic Preservation Review Commission

The Historic Preservation Review Commission consists of nine members: four appointed by the Mayor, four by the Council, and the ninth selected by the first eight, five of whom are professionals of special expertise in five of the following disciplines: architecture, architectural history, archaeology, history, planning, or Hawaiian culture. Members serve for staggered three-year terms. To the extent possible, there is one representative member from each of the five planning areas in the County.

The Planning Director, or designee, is responsible for administering the Commission's Historic Preservation Program, and serves as its liaison with the State Historic Preservation Office.

Department of Personnel Services

The Department of Personnel Services consists of the Civil Service Commission, Director of Personnel Services, and necessary staff. Its primary purpose is to establish a system of personnel administration based on merit principles, devoid of any bias or prejudice in the

filling of vacancies, and to provide a systematic and equitable classification of all positions through adequate job evaluation.

Civil Service Commission. The Civil Service Commission consists of five members appointed by the Mayor with the approval of the Council for staggered terms of three years, effective July 1, 2002. One of these members must be representative of persons employed in private industry in skilled or unskilled labor as distinguished from executive or professional positions. All members must believe in the principles of the merit system in public employment.

Effective July 1, 2002, the Commission's duties of adopting rules to carry out the civil service and public employees' compensation laws of the State and County are transferred to the Director of Personnel Services, and the Commission becomes an appellate body, hearing and deciding appeals by any public officer or employee aggrieved by any action of the Director of Personnel Services or any appointing authority pursuant to Act 253, Session Laws of Hawaii 2000. The Commission is not precluded from advising the Director and Mayor on problems concerning personnel and classification administration; and executing such powers and duties as provided by law.

Director of Personnel Services. The Director of Personnel Services is the head of the Department and is responsible for the proper conduct of all of its administrative affairs and execution of personnel programs prescribed by law, the Charter, ordinances, and rules. The Director is appointed and may be removed by the Commission. The Director must have a minimum of five years training and experience in personnel administration in public service, private business, or both, including at least three years in a responsible administrative capacity, and be in sympathy with the principles of the merit system.

Department of Liquor Control

The Department of Liquor Control consists of the Liquor Control Commission, Director, and necessary staff.

Liquor Control Commission. The Liquor Control Commission consists of five members appointed by the Mayor with the approval of the Council to staggered three-year terms. The Commission adopts rules for county liquor control; grants, refuses, suspends, and revokes licenses for the manufacture, importation, and sale of liquors; investigates violations of liquor control laws; hears and determines complaints and citations regarding violations of liquor control laws; and imposes fines or penalties as provided by law.

Director. The Director, as the head of the Department, is responsible for the management, supervision, and control of all subordinate members of the staff. The Director is appointed and may be removed by the Commission and must have had a minimum of five years of business experience, at least three of which shall have been in a responsible administrative capacity.

Department of Water

The Department of Water is a semi-autonomous agency consisting of the Board of Water Supply, the Manager and Chief Engineer, and necessary staff.

Board of Water Supply. The Board of Water Supply consists of seven members, including four appointed by the Mayor with the approval of the Council: the District Engineer of the State Department of Transportation, the County Engineer, and the Planning Director. All serve for staggered three-year terms.

To the extent not subject to the control of the State Commission on Water Resource Management, the Board manages, controls, and operates the waterworks and appurtenant property of the County for the purpose of supplying water to the public, and collects, receives, expends, and accounts for money derived from its operation and other moneys and property provided for the use or benefit of the waterworks. The Board may issue and provide payment for revenue bonds; expend bond and other funds; establish rates and charges; acquire property; promulgate rules relating to the management, control, operation, preservation, and protection of the waterworks; and undertake other activities as provided by law.

Manager and Chief Engineer. The Manager and Chief Engineer is appointed by the Board and serves as the head of the Department. The Manager and Chief Engineer must be an engineer registered under state law and have had a minimum of five years of training and experience in an engineering position, at least three of which have been in a responsible administrative capacity.

Cost Control Commission

The Cost Control Commission is composed of seven members not employed in government service. Three of the members are appointed by the Mayor, three by the Council, and the seventh is selected by the first six. The term of the Commission is coterminous with the term of the Mayor.

The goal of the Commission is to reduce the cost of county government while maintaining a reasonable level of public services. The Commission reviews personnel costs, real property taxes, travel budgets, and contract procedures; reviews with the aim of eliminating programs and services available or more efficiently supplied by other governments or organizations; eliminates or consolidates overlapping or duplicate programs and services; and scrutinizes for reduction any county operation.

The Commission is empowered to secure from any county department, agency, official, or employee, any report or information the Commission requests that is appropriate to its function.

The Commission submits its recommendations semi-annually during the second and last quarter of each year. The Commission may request that any of its recommendations be drafted

in ordinance form for its introduction through the Mayor. The Mayor must submit all such recommendations to the Council with the Mayor's comments thereon.

Salary Commission

The Salary Commission is composed of seven members not employed in government service. Three members are appointed by the Mayor, three by the Council, and the seventh is appointed by the first six. The term of the Commission is coterminous with the term of the Council.

The purpose of the Commission is to provide for an independent body to review, classify, and recommend the salaries of the Mayor, members of the Council, and certain appointed officials in the County.

Board of Ethics

The Board of Ethics is composed of five members appointed by the Mayor with the approval of the Council to staggered three-year terms. The function of the Board is to initiate, receive, hear, and investigate complaints of violations to the Code of Ethics, as established in the Charter, and to transmit its findings to the Council as to complaints involving county officers and to the Civil Service Commission as to complaints involving employees. The Board may also file impeachment proceedings in Circuit Court. The Board renders advisory opinions with respect to the Code, implements the requirements of the disclosure of interest provisions in the Charter, prescribes disclosure of interest forms, examines all disclosure statements submitted, and advises on corrective action to any matters that may indicate a conflict of interest. The Board proposes revisions of the Code to assure its effectiveness.

PROSECUTING ATTORNEY

The Office of the Prosecuting Attorney is mandated to initiate and maintain any action or prosecution deemed necessary to enforce the laws of the State, the ordinances and rules of the County, preserve public order, and protect the public's rights.

The Prosecuting Attorney is elected for a term of four years. The Prosecuting Attorney must be an attorney licensed to practice law and be in good standing before the Hawaii Supreme Court, have engaged in the practice of law in the State for at least three years, and have been a duly qualified elector of the County for at least one-year immediately preceding election.

Components of the Office of the Prosecuting Attorney include:

Career Criminal Unit. This Career Criminal Unit targets the small population of hard-core criminals who commit a disproportionate number of crimes.

Victim Witness Program. The Victim Witness Program was created to be an advocate and source of aid to victims and witnesses of crime within the framework of the Office of the Prosecuting Attorney and for the purpose of prosecuting crimes. The Program is funded by a combination of county, state, and federal funds.

Domestic Violence Unit. The Domestic Violence Unit was created with federal funds to improve the criminal justice system's response to domestic and family violence. Activities include removal of the victim as the complainant, ongoing criminal justice system support for the victim, and vertical prosecution (a case is handled through all stages by one deputy).

Kauai Community Prosecution Unit. The Community Prosecution Program is a federally funded program that places a satellite office within a targeted community. The Unit seeks to reduce crime through collaboration with law enforcement, the Department of Education, business organizations, civic groups, and other volunteer groups.

COUNTY OF MAUI

The County of Maui consists of the islands of Maui, Molokai, Lanai, and Kahoolawe, and all other islands lying within three nautical miles off the shores thereof and waters adjacent thereto, except that portion of the island of Molokai known as Kalaupapa, Kalawao, and Waikolu, and commonly known and designated as the Kalaupapa Settlement. The County is a corporate body with all powers authorized by the State Constitution, the laws of the State of Hawaii, and the Maui County Charter.

LEGISLATIVE BRANCH

County Council

The County Council is composed of nine members who are elected at-large: one is a resident of Lanai, one a resident of Molokai, one a resident of East Maui, one a resident of West Maui, one a resident of Makawao-Haiku-Paia, one a resident of "Upcountry" comprising Pukalani-Kula-Ulupalakua, one a resident of South Maui, one a resident of Kahului, and one a resident of Wailuku-Waihee-Waikapu. Terms of office are for two years, and no Council member may serve more than five consecutive full terms of office.

The Council is the legislative body of the County and has the following powers:

- (1) To legislate taxes, rates, fees, assessments and special assessments, and to borrow money, subject to the limitations provided by law and the Charter.
- (2) To legislate appropriations for county purposes subject to limitations provided by the Charter.
- (3) To conduct investigations of (a) the operation of any department or function of the County, and (b) any subject upon which the Council may legislate.
- (4) To fix the salaries of such employees and officers as may be necessary.
- (5) To require periodic and special reports from all county departments concerning their functions and operations. Such reports shall be requested and submitted through the Mayor.
- (6) To retain or employ, by a vote of two-thirds of its entire membership, special counsel for any special matter presenting a necessity for such services. Any such employment shall specify the compensation, if any, to be paid for the services.

Office of the County Clerk. The Office of the County Clerk consists of the County Clerk and necessary staff. The County Clerk is appointed and may be removed by the Council. The County Clerk is the clerk of the Council; takes charge of, safely keeps and disposes of all

books, papers, and records which may be properly filed with the Office and keeps in separate files all bills, ordinances, resolutions, and rules, and cumulative indices of same; has custody of the county seal; conducts all elections held within the County as provided by law; certifies ordinances; adopts rules for the classification, storage, and destruction of all records of the County; and performs such other functions as may be prescribed by the Council or law.

Office of Council Services. The Office of Council Services assists the Council in the exercise of its legislative powers. The Council creates such positions in the Office as it deems necessary. The salaries of such positions are fixed by ordinance, and persons appointed to such positions by the Council are exempt from civil service.

EXECUTIVE BRANCH

Except as otherwise provided by the Charter, the executive power of the County is vested in and exercised by the Executive Branch which is headed by the Mayor.

Mayor

The Mayor, who must be a voter and resident of the County of Maui, is elected for a term of four years and is limited to serving not more than two consecutive full terms. The Mayor is the chief executive officer of the County. Among the powers and duties enumerated by the Charter, the Mayor exercises supervision, directly or through the Managing Director, over executive agencies; appoints the necessary staff for which appropriations have been made by the Council; recommends to the Council a pay plan for all county officers and employees whose compensation is not otherwise provided for by law; submits an operating budget and a capital program annually to the Council for its consideration, and controls, manages, and executes the annual operating budget and capital program; makes annual and periodic reports informing the public of county policies, programs, and operations; approves or vetoes bills passed by the Council; enters into contracts with other counties, the State, or the United States for the performance of any function or activity which the County is authorized to perform; prepares and processes applications for state, federal, or other governmental funds on behalf of the County; and exercises other powers and performs other duties prescribed by the Charter or by law.

Department of Management

The Department of Management is headed by the Managing Director, who is appointed and may be removed by the Mayor. The Managing Director serves as the principal management aide to the Mayor; supervises and evaluates the administrative functions, management and performance, and prescribes standards for the administrative practices of all agencies, departments, boards, and commissions assigned by the Mayor; and performs other duties required by the Charter or assigned by the Mayor.

Department of the Corporation Counsel

The Department of the Corporation Counsel consists of the Corporation Counsel, who is appointed and may be removed by the Mayor with the approval of the Council, and necessary staff. The Corporation Counsel must be an attorney licensed to practice law and in good standing before the Hawaii Supreme Court and have practiced law in the State for at least three years. The Corporation Counsel appoints such deputies corporation counsel and staff as authorized by the Council. Deputies corporation counsel are exempt from civil service and serve at the pleasure of the Corporation Counsel. The Corporation Counsel is the chief legal advisor and legal representative of the Council, the Mayor, all departments, boards and commissions, and officers and employees in matters relating to their official duties. In addition, the Corporation Counsel represents the County in all legal proceedings and performs such other duties as assigned by the Mayor.

Department of the Prosecuting Attorney

The Department of the Prosecuting Attorney consists of the Prosecuting Attorney and necessary staff. The Prosecuting Attorney is appointed and may be removed by the Mayor with the approval of the Council. The Prosecuting Attorney must be an attorney licensed to practice law and in good standing before the Hawaii Supreme Court and have practiced law in the State for at least three years.

The Prosecuting Attorney attends all courts in the County and conducts, on behalf of the people, all prosecutions for offenses against state laws, county ordinances, and rules; appears in and prosecutes every criminal case where there is a change of venue from the courts in the County; institutes proceedings for the arrest and indictment of persons suspected of public offenses; draws all indictments and attends before the grand jury cases presented for its consideration; prosecutes administrative violations of the liquor laws before the Board of Liquor Adjudication; performs such other duties as assigned by the Mayor; and appoints necessary staff, including deputy prosecuting attorneys.

Department of Finance

The Department of Finance consists of the Director of Finance, who is appointed and may be removed by the Mayor, and necessary staff. The Director must have had a minimum of five years of experience in a public or private financial position, including at least three years in an administrative capacity.

The duties of the Director of Finance include preparing bills for the collection of money due to the County; collecting accounts receivable by the County; maintaining an accurate and complete account of receipts and disbursements; managing county funds; contracting the services of independent contractors; issuing, selling, and paying interest on redeemable bonds and maintaining custody of official bonds; preparing payrolls and pension rolls; renting or

leasing county property and awarding concessions; preparing and maintaining an inventory of lands, equipment, or other property controlled by the County; submitting quarterly statements of revenues and expenditures to the Council; selling real property upon which improvement assessments or real property taxes are not paid within the period prescribed; disposing of real or personal property not needed by any department of the County pursuant to policies established by ordinance; and administering the real property taxation function of the County.

Real Property Tax Review Board. The Real Property Tax Review Board consists of five members appointed by the Mayor with the approval of the Council to five-year terms. The Board hears all appeals relating to real property assessments filed with the Director of Finance.

Department of Housing and Human Concerns

The Department of Housing and Human Concerns consists of the Director of Housing and Human Concerns and necessary staff. The Director is appointed and may be removed by the Mayor and must have had at least five years experience in an administrative capacity. The Director is responsible for developing programs designed to meet human needs in the County.

Department of Parks and Recreation

The Department of Parks and Recreation consists of the Director of Parks and Recreation and necessary staff. The Director is appointed and may be removed by the Mayor. The Director must have had a minimum of five years of experience in an administrative capacity. The Director plans, designs, constructs, maintains, and operates all parks and recreational facilities of the County, and develops and implements programs for cultural, recreational, and other leisure activities for the people of the County.

Department of Personnel Services

The Department of Personnel Services consists of the Civil Service Commission, Director of Personnel Services, and necessary staff.

Civil Service Commission. The Civil Service Commission consists of five members appointed by the Mayor with the approval of the Council to five-year terms. The Commission adopts rules to carry out the provisions of the state civil service laws; requests an annual appropriation for the operation of the Department; hears appeals by any officer or employee aggrieved by any action of the Director of Personnel Services or by an appointing authority; and advises the Mayor and Director of Personnel Services on problems concerning personnel administration.

Director of Personnel Services. The Director of Personnel Services is appointed and may be removed by the Civil Service Commission. The Director must be thoroughly familiar with the principles and methods of personnel administration and believe in applying merit

principles and scientific administrative methods to public personnel administration. As administrative head of the Department, the Director is responsible for the personnel management program of the County and performs such duties as are prescribed by state civil service laws or assigned by the Mayor.

Department of Planning

The Department of Planning consists of the Maui Planning Commission, Molokai Planning Commission, Lanai Planning Commission, Planning Director, and necessary staff.

Planning Director. The Planning Director serves as the administrative head of the Department, chief planning officer of the County, and the technical advisor to the Mayor, Council, and Planning Commissions on all planning and related matters. The duties of the Planning Director include recommending revisions of the general plan at least every ten years to guide the development of the County; preparing proposed zoning ordinances, zoning maps and rules, and any amendments or modifications; and reviewing the lists of and prioritizing proposed capital improvements.

The Planning Director is appointed and may be removed by the Mayor. The Planning Director must have had five years of experience in the planning field, including at least three years in an administrative capacity.

Planning Commissions. Each Planning Commission consists of nine members appointed by the Mayor with the approval of the Council to five-year terms. The members of each Planning Commission are residents of the respective island of their Commission. The Director of Public Works and Director of the Department of Water Supply are ex officio nonvoting members.

The Maui Planning Commission is concerned with the area encompassing the islands of Maui and Kahoolawe and all other islands lying within three nautical miles of their shores and adjacent waters. The Molokai Planning Commission is concerned with the area encompassing the island of Molokai and all other islands lying within three nautical miles of its shores and adjacent waters, except that portion of the island commonly known as the Kalaupapa Settlement. The Lanai Planning Commission is concerned with the area encompassing the island of Lanai and all other islands lying within three nautical miles of its shores and adjacent waters.

The appropriate Planning Commission advises the Mayor, Council, and Planning Director in matters concerning planning programs; reviews the general plan and any revisions, and recommends their approval or rejection; reviews proposed land use ordinances and any amendments, and recommends their approval or rejection; adopts rules pursuant to land use ordinances or law; and acts as the authority on all matters relating to the Coastal Zone Management law. In reviewing the general plan, zoning ordinances, or any amendments, the Commission holds public hearings prior to making its recommendations.

Board of Variances and Appeals. The Board of Variances and Appeals consists of nine members appointed by the Mayor with the approval of the Council to five-year terms. The Board hears and renders decisions on matters relating to general plan, zoning, subdivision, and building ordinances.

Department of Public Works and Waste Management

The Department of Public Works and Waste Management consists of the Director of Waste Management, Board of Variances and Appeals, and necessary staff.

Director of Public Works and Waste Management. The Director of Public Works and Waste Management is appointed and may be removed by the Mayor. The Director must have had a minimum of five years of experience in an administrative capacity. The Director administers the building and housing codes and subdivision and zoning ordinances and rules; approves proposed subdivision plans; supervises and maintains the County's highways, drainage and flood control systems and sewer systems, and maintains the County's buildings.

Board of Code Appeals. The Board of Code Appeals consists of seven members appointed by the Mayor with the approval of the Council to five-year terms. The members include an engineer or architect and members qualified to pass upon matters pertaining to electrical work, plumbing work, building construction, and fire safety. For purposes of sections 132-6 and 132-10, Hawaii Revised Statutes, the Board is designated the County Fire Appeals Board. The Board hears and renders decisions on matters relating to the County building, plumbing, electrical, housing, and fire codes, and the administration by the County Fire Chief of chapter 132, Hawaii Revised Statutes, relating to fire protection. The jurisdiction of the Board does not include any matter within the jurisdiction of the County Board of Variances and Appeals.

Department of Water Supply

The Department of Water Supply consists of the Board of Water Supply, Director of Water Supply, a deputy director, and necessary staff. To the extent not subject to the control of the State Commission on Water Resource Management, all water, water rights, water sources, and appurtenant real and personal property and supplies are under the control of the Department. It is a self-supporting Department through its revenues. The Council may issue general obligation bonds and provide capital appropriations for the Department.

Board of Water Supply. The Board of Water Supply consists of nine members, appointed by the Mayor with the approval of the Council to five-year terms. The Planning Director and the Director of Public Works serve as ex officio nonvoting members. The Board adopts rules relating to the management, control, operation, preservation, and protection of the waterworks of the County, as well as the establishment and adjustment of rates and charges for furnishing water; adopts an annual operating and capital improvement budget; and has the

authority to issue revenue bonds and to acquire and convey real property in the name of the Board.

Director of Water Supply. The Director of the Department of Water Supply is appointed and may be removed by the Board of Water Supply and must have had a minimum of three years of experience in an administrative capacity. The Director or Deputy Director must be a registered engineer. The Director manages and controls all water systems of the County; prepares and implements long range capital improvement plans adopted by the Board; and prepares an annual operating and capital budget for the Board's review and adoption.

Department of Police

The Department of Police consists of the Police Commission, Chief of Police, and necessary staff.

Police Commission. The Police Commission consists of nine members appointed by the Mayor with the approval of the Council to five-year terms. In addition to performing duties provided by law, the Commission adopts rules necessary for the discharge of its duties and investigates any charges brought by the public against the Department or its personnel and submits a written report of its findings and recommendations to the Chief of Police for disposition.

Chief of Police. The Chief of Police is appointed by the Police Commission and may be removed by the Commission only after being informed in writing of the charges and after being given a hearing before the Commission. The Chief of Police must have had a minimum of five years of experience in law enforcement, including at least three years in an administrative capacity. The Chief of Police is responsible for the preservation of the public peace; prevention of crimes; detection and arrest of law offenders; protection of the rights of persons and property; traffic safety and education; and supervision and training of police officers and other employees.

Department of Fire Control

The Department of Fire Control consists of the Fire Chief, Public Safety Commission, and necessary staff.

Fire Chief. The Fire Chief is appointed and may be removed by the Mayor and must have had a minimum of five years of experience in fire control, including at least three years in an administrative capacity. The Fire Chief provides fire protection to the people and property of the County; investigates the cause, origin, and circumstances of fires; adopts rules relating to the protection of persons and property against fires; approves building plans as provided by law; coordinates and provides rescue protection personnel in the County; and provides for the mitigation and stabilization of hazardous materials and related incidents.

Public Safety Commission. The Public Safety Commission consists of nine members appointed by the Mayor with the approval of the Council to five-year terms. The Commission reviews the operations of the Department of Fire Control and recommends changes to improve the performance of emergency functions and the provision of public safety services; receives and investigates any complaints brought forth by the public against the conduct of the Department or any of its members and submits a written report of its findings and recommendations to the Fire Chief for disposition; and adopts such rules as it may consider necessary for the conduct of its business and regulations of the matters committed to its charge by law.

Department of Liquor Control

The Department of Liquor Control consists of the Liquor Control Commission, Liquor Control Adjudication Board, Director of Liquor Control, and necessary staff.

Liquor Control Commission. The Liquor Control Commission is composed of nine members appointed by the Mayor with the approval of the Council to five-year terms. The Liquor Control Commission adopts rules for the administration of liquor control in the County and execution of state liquor control laws. The Commission also grants, renews, or refuses applications for licenses for the manufacture, importation, and sale of liquor in the County and performs other duties as provided by law.

Liquor Control Adjudication Board. The Liquor Control Adjudication Board consists of nine members appointed by the Mayor with the approval of the Council to five-year terms. It hears and determines administrative complaints of the Director regarding violations of state liquor control laws or rules of the Commission. The Board also imposes penalties for such violations.

Director of the Department of Liquor Control. The Director of the Department of Liquor Control is appointed and may be removed by the Liquor Control Commission. The Director must have had a minimum of five years of experience in law enforcement, including at least three years in an administrative capacity. The Director investigates violations of the state liquor control laws and rules of the Commission, and investigates applications for liquor licenses.

Civil Defense Agency

The Civil Defense Agency has powers, duties, functions, and organization as provided by law. The Public Safety Commission reviews the operations of the Agency and recommends changes to improve the performance of emergency functions and the provision of public safety services. The Commission receives and investigates any complaints brought by the public against the conduct of the Agency or any of its members and submits a written report of its findings and recommendations to the Civil Defense Administrator for disposition.

Board of Ethics

The Board of Ethics consists of nine members appointed by the Mayor with the approval of the Council to five-year terms. Among its powers and duties, the Board adopts rules for the enforcement of the Code of Ethics; initiates, receives, hears, and investigates complaints of violations of the Code; initiates impeachment proceedings against elected or appointed officers found to have violated the Code; renders advisory opinions; prescribes forms for and examines all disclosure statements; and on issues before it, makes findings of fact and conclusions of law and transmits them to the appropriate appointing authority and Prosecuting Attorney for disposition.

Cost of Government Commission

It is the declared policy of the County to promote economy, efficiency, and improved service in the transaction of the public business in the legislative and executive branches of the County. For the purpose of carrying out this policy the Mayor, with the approval of the Council, appoints the Cost of Government Commission consisting of nine members who serve staggered terms of two years. A member may be reappointed but may not serve for more than a total of four years. The Commission studies and investigates county organization and operations to determine changes to accomplish the aforementioned policy; is authorized to secure directly from any agency or employee of the county information necessary to carry out its duties; and submits a report of its findings and recommendations to the Mayor and Council not later than eleven months after its appointment.

Salary Commission

The Salary Commission consists of nine members appointed by the Mayor with the approval of the Council. The term of office of Commission members ends with the term of office of the Mayor. The Commission determines the compensation of elected officials and appointed directors and deputy directors of all county departments provided, however, that in establishing the compensation of appointed department heads and their deputies, the Commission consults with those boards and commissions which have appointing authority for department heads.

THE HAWAII CONGRESSIONAL DELEGATION

All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

Article I, Sec. 1
Constitution of the
United States of America

The United States House of Representatives is composed of four hundred thirty-five members elected every two years by the people of the state whom they represent. Members of the House of Representatives must be at least twenty-five years of age, citizens of the United States for at least seven years, and inhabitants of the state from which they are elected. Seats in the House are apportioned among the states on the basis of population.

The United States Senate is composed of one hundred members, two from each state, elected for six-year terms. Members of the Senate must be at least thirty years of age, citizens of the United States for at least nine years, and an inhabitant of the state from which they are elected.

The legislative work of the Congress is largely accomplished by committees. In the 107th Congress (2001-2002) there were seventeen standing committees in the Senate, nineteen standing committees in the House of Representatives, four joint committees, and various select and special committees.

The Congress enacts criminal and administrative laws for the federal government. It levies taxes, enacts enabling legislation, and passes appropriations bills to authorize government spending. In addition to lawmaking responsibilities, the Congress has other responsibilities which serve as checks on the other branches of the federal government. Treaties made with foreign countries by the President must be approved by the Senate before they become effective. The Senate has the power to confirm or reject presidential nominees for the Supreme Court, the Cabinet, federal judgeships, ambassadorial positions, and other federal positions. The Congress has the power to remove officials. An official to be removed is first impeached by the House of Representatives, and then tried by the Senate.

Hawaii has two congressional districts with one representative elected from each. The city of Honolulu proper is the first congressional district, and the second congressional district includes all other areas of the State.

UNITED STATES GOVERNMENT

Federal Agencies and Departments

The following departments and agencies of the federal government have offices in Hawaii. The services they provide are outlined below.

DEPARTMENT OF AGRICULTURE

Animal and Plant Health Inspection Service

The Animal and Plant Health Inspection Service, in cooperation with state governments, administers federal laws and regulations pertaining to animal and plant health and quarantine, the humane treatment of animals, and the control and eradication of pests and diseases. Regulations to prevent the introduction or interstate spread of certain animal or plant pests or diseases are also enforced by the Service. It also carries out research and operational activities to reduce crop and livestock depredations caused by birds, rodents, and predators.

Farm Service Agency

The Farm Service Agency (FSA) serves to stabilize farm income, help farmers conserve land and water resources, provide credit to new or disadvantaged farmers and ranchers, and help farm operations recover from the effects of disasters.

FSA was established when the Department of Agriculture was reorganized in 1994, incorporating programs from several agencies, including the Agricultural Stabilization and Conservation Service, the Federal Crop Insurance Corporation (now a separate risk management agency), and the Farmers Home Administration.

Food and Nutrition Service

The Food and Nutrition Service administers the Food Stamp Program. In administering the Food Stamp Program, the Service assists state and county governments, wholesale and retail food distributors, the general public, and others involved with the Program. In addition, the Food and Nutrition Service in Hawaii administers the School Lunch Program, School Breakfast Program, Special Milk Program, Child/Adult Care Food Program, Food Distribution Program, Special Supplemental Food Program for Women, Infants and Children, and the Emergency Food Assistance Program.

Food Safety and Inspection Service

The Food Safety and Inspection Service is responsible for regulating the meat and poultry industries to ensure that meat and poultry products moving in interstate and foreign commerce are safe, wholesome, and accurately labeled. The Service also conducts surveillance of foreign inspection systems exporting meat or poultry products to the United States.

Forest Service, Institute of Pacific Islands Forestry

The Institute of Pacific Islands Forestry conducts research on forests and assists managers of natural resources in Hawaii and other islands of the Pacific Basin. Programs include restoration of ecosystem processes, control of non-indigenous plant species, ecology of forested wetlands, and forest management services.

Hawaii Agricultural Statistics Service

The Hawaii Agricultural Statistics Service, a field office of the National Agricultural Statistics Service, administers programs to collect and publish statistics related to farm production level agriculture, and other related statistics.

Natural Resources Conservation Service

The Natural Resources Conservation Service (NRCS), formerly the Soil Conservation Service, is focused on conservation and management of natural resources primarily on private lands. The assistance of the Service in Hawaii is provided through sixteen locally organized Soil and Water Conservation Districts, local sponsors of small watershed projects, four Resource Conservation and Development Councils, and direct consultation with other individuals and groups.

NRCS conducts a Natural Resources Inventory every five years to assess conditions and trends of the land, especially regarding soil erosion. Additional resource assessments are also conducted, usually in conjunction with others. NRCS is also responsible for the Environmental Quality Incentives Program, Forestry Incentives Program, Wildlife Habitat Incentives Program, Wetlands Reserve Program, Farmland Protection Program, and the Grazing Land Initiative. In the area of water resources, the Service is responsible for the Watershed Protection and Flood Control Act and the Emergency Watershed Protection Program.

Rural Development

Created in 1994 as part of the restructuring of the Department of Agriculture, Rural Development represents the merger of the Farmers Home Administration, Rural Development

Administration, and the Rural Electrification Administration. Financial assistance programs are administered by three agencies under the Rural Development mission area:

Rural Business-Cooperative Service (RBS): Provides business programs that help fund projects that create or preserve jobs or promote a clean rural environment. RBS also provides technical assistance services for newly created and existing cooperative businesses. The Business and Industrial Guaranteed Loan Program provides rural businesses with access to loans for business expansion or start-up.

Rural Housing Service (RHS): Provides single-family and multiple-housing assistance to moderate- or low-income families in rural areas. RHS also administers a Community Facilities Program to build or improve public facilities such as hospitals, health clinics, fire and police stations, community centers, libraries, and other essential community facilities.

Rural Utilities Service (RUS): Provides financial assistance for electric energy, water, and waste disposal projects, and telecommunications. The Water and Waste Disposal Loan and Grant Program provides for the installation or improvement of community water systems, sewer systems, and solid waste disposal systems serving rural areas.

DEPARTMENT OF COMMERCE

Economic Development Administration

The mission of the Economic Development Administration is to create and retain jobs; stimulate industrial, technological, and commercial growth in economically distressed areas; and to assist communities in creating projects that economically grow the community in areas both urban and rural -- areas experiencing high unemployment, low per capita income, and other signs of economic distress. Grants are available to state and local governments; public and private nonprofit organizations in cooperation with local governments; public and private universities; community-based nonprofit organizations in cooperation with local governments; and business groups with trade adjustment issues.

International Trade Administration

The activities of the International Trade Administration are intended to promote progressive business practices and world trade, strengthen the international trade and investment position of the United States, actively support a vital private economic sector, and assist in adapting to changes within the American economic system. To achieve its goals, the Administration engages in export development, East-West trade, trade regulation, international economic policy, research and development, and domestic business development.

National Oceanic and Atmospheric Administration

The National Oceanic and Atmospheric Administration (NOAA) is the nation's premier earth science agency. NOAA's mission is to describe and predict changes in the earth's environment and to conserve and manage the nation's coastal and marine resources. The agency comprises five major organizations: (1) the National Weather Service, (2) the National Marine Fisheries Service, (3) the National Ocean Service, (4) the National Environmental Satellite Data and Information Service, and (5) the Office of Oceanic and Atmospheric Research.

Among the NOAA offices in Hawaii are the Honolulu Forecast Office/Central Pacific Hurricane Center and the Honolulu Fisheries Lab at UH-Manoa, the Pacific Tsunami Warning Center at Ewa Beach, the Hawaiian Islands Humpback Whale National Marine Sanctuary offices in Honolulu and Kihei, and the Mauna Loa Observatory on the Big Island.

DEPARTMENT OF DEFENSE

U.S. Pacific Command

Vision: A joint command directing and coordinating the employment of U.S. Forces in peace, crisis, or war to advance U.S. interests as an active player, partner, and beneficiary in pursuit of a secure, prosperous, and democratic Asia-Pacific community.

Mission: Ready today and preparing for tomorrow, the U.S. Pacific Command enhances security and promotes peaceful development in the Asia-Pacific region by deterring aggression, responding to crisis, and fighting to win.

Overview: The U.S. Pacific Command is the oldest and geographically largest unified command. Its area of responsibility encompasses forty-three countries, nearly sixty per cent of the world's population, supports five of seven worldwide U.S. mutual defense treaties, contains six of the world's largest armies, and is the source of about one-third of U.S. trade.

U.S. Pacific Command forces consist of 300,000 soldiers, sailors, airmen, marines, and civilian employees stretching from the West Coast of the mainland U.S. to the Eastern shores of Africa, and from the Arctic to the Antarctic. Our forces represent about twenty per cent of all U.S. active duty military with approximately 100,000 forces forward deployed.

U.S. Pacific Command consists of:

- Four subordinate unified commands: U.S. Forces Japan; U.S. Forces Korea; Alaskan Command; and Special Operations Command, Pacific.
- Four component commands: U.S. Army Pacific, U.S. Pacific Fleet, Pacific Air Forces, and Marine Forces Pacific.

- Three direct reporting units: Center of Excellence in Disaster Management, Asia-Pacific Center for Security Studies, and Joint Intelligence Center Pacific.
- Three standing Joint Task Forces: Joint Task Force-Full Accounting, Joint Interagency Task Force West, and Joint Task Force 510.

Pacific Fleet

The U.S. Pacific Fleet (PACFLT) is the world's largest naval command. It includes nearly half of the U.S. Navy's total strength. The fleet is active in the Arctic, Indian, and Pacific Oceans. PACFLT is responsible for the protection of sea lanes that link the United States with Asian and Pacific nations and trading partners, and supports allied forces ashore.

PACFLT coordinates Navy support activities ashore through regional coordinators. Western Pacific regional coordinators command U.S. Navy shore activities in Japan, the Republic of Korea, and Guam. The remaining regional coordinators command U.S. Navy shore activities in San Diego, Seattle, and Pearl Harbor.

Marine Forces Pacific

The single largest U.S. Marine Corps command is designated as both Marine Forces Pacific (MARFORPAC) and Fleet Marine Force, Pacific (FMFPAC). Headquartered at Camp H. M. Smith, Hawaii, MARFORPAC consists of two-thirds of the total operational forces of the Marine Corps. MARFORPAC is comprised of two of the Corps' three Marine Expeditionary Forces (MEFs), each of which has a division, an aircraft wing, a force service support group, and a command element.

U.S. Army Pacific

The U.S. Army, Pacific (USARPAC) is the Army Service Component Command (ASCC) headquarters for the United States Pacific Command. USARPAC's mission is to provide United States Commander in Chief, Pacific (USCINCPAC) trained and ready forces in support of security operations, from theater security cooperation to war fighting, to promote regional stability, and ensure successful crisis response or decisive victory. Commander, USARPAC, commands active and Army reserve units in Alaska, American Samoa, Guam, Hawaii, and Japan. He is responsible for the mobilization readiness of Army National Guard units in Alaska, Guam, and Hawaii. As a Major Army Command (MACOM), USARPAC provides installation support to the 25th Infantry Division (Light) and U.S. Army, Hawaii; U.S. Army, Alaska; and U.S. Army, Japan; and to agencies of the Department of the Army, the Department of Defense, and other government agencies that depend on the U.S. Army for support.

Pacific Air Forces

Pacific Air Forces (PACAF) is the Air Force component of the U.S. Pacific Command. PACAF's mission is to plan, conduct, and coordinate offensive and defensive air operations within the U.S. Pacific Command. Its four numbered air forces operate in Japan, the Republic of Korea, Alaska, and Guam.

DEPARTMENT OF ENERGY

The Department of Energy promotes consumer interests, encourages competition in the energy industries, and protects the nation's environment and the health and safety of its citizens. The activities of the Department include: research, development, and demonstration of energy technology; marketing federal power; energy conservation; the nuclear weapons program; regulating energy production and use; pricing and allocation; and a central energy data collection and analysis program.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Administration for Children and Families

The Administration for Children and Families (ACF) has programmatic, financial management, coordination, and oversight responsibilities for a broad range of programs that promote and enhance the economic and social well-being of children, families, individuals, and communities. The agency provides policy guidance and technical assistance to state, territory, county, city, and tribal governments and community-based organizations responsible for administering these programs. The agency also monitors and evaluates performance and financial operations to ensure consistent and uniform adherence to federal requirements for these same entities.

The ACF has responsibility for administering the following programs: adoption assistance; Temporary Assistance for Needy Families (TANF); child abuse and neglect; child care; child support enforcement; child welfare services; developmental disabilities; foster care; Head Start; Job Opportunities and Basic Skills Training (JOBS); and runaway and homeless youth.

Food and Drug Administration

The Food and Drug Administration is responsible for protecting the health of the nation's people against impure and unsafe foods, drugs, and cosmetics, and other potential hazards. It assures the compliance of manufacturers with labeling standards and evaluates the sanitation conditions of manufacturers to assure that products are manufactured under established standards. In addition, it is responsible for ensuring that interstate commercial carriers provide their passengers with safe drinking water, food, and sanitary facilities. The Food and Drug Administration develops workshops on problems that are inherent in particular manufacturing

processes and participates in meetings to distribute information on issues and policies. The Administration is also concerned with radiological health, veterinary medicine, medical devices, and toxicological research.

Centers for Medicare and Medicaid Services

The Centers for Medicare and Medicaid Services administers the Medicare, Medicaid, and State Children's Health Insurance programs, and is responsible for the health care delivery of these programs.

Public Health Service Quarantine

The Public Health Service Quarantine's mission is to prevent the importation and spread of communicable disease from foreign areas. This involves the inspection of persons, biologicals, insects, and animals that may be vectors of human diseases.

Social Security Administration

The Social Security Administration assists applicants in filing claims for benefits under Social Security's retirement, survivors, disability, and Medicare insurance programs, and for Supplemental Security Income benefits for the needy aged, blind, and disabled. The Social Security Administration also provides for and administers appeals and reviews of its operation and decisions.

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

The Department of Housing and Urban Development (HUD) is the federal agency responsible for national policy and programs to address America's housing needs, to improve and develop the nation's communities, and for enforcing the Fair Housing Laws. It provides housing assistance for the poor, resources to communities to spur housing and economic development, and plays a major role in supporting homeownership by underwriting homeownership for lower- and moderate-income families through its FHA mortgage insurance program. Through both competitive and noncompetitive formula-based programs, HUD supports the needs of a variety of constituencies, such as housing opportunities for persons with AIDS, persons with disabilities, and the elderly.

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service Pacific Islands Ecoregion

The Fish and Wildlife Service is the principal federal bureau for the conservation, protection, and enhancement of wildlife and plants and their habitats. Its chief duties cover

migratory birds, endangered species, certain marine mammals, freshwater and anadromous fish, and the National Wildlife Refuge System.

The Pacific Islands Ecoregion, one of fifty-two ecoregions established across the nation, includes all of the insular habitats under U.S. jurisdiction in the Pacific Ocean, stretching as far west as Palau, and as far south as American Samoa. Nineteen National Wildlife Refuges are administered within its boundaries, providing protected areas to help ensure the continued survival of many unique flora and fauna.

Geological Survey, Water Resources Discipline

The Water Resources Discipline of the United States Geological Survey is responsible for determining and evaluating the quantity, quality, and distribution of water resources in Hawaii and the territories in the Pacific. Included in the activities of the Discipline are the systematic collection, analysis, and interpretation of hydrologic and geologic data; the evaluation of water resources by areas or by problem; the conducting of basic and applied hydrologic research; and the preparation of the results of investigations for publication. The investigations of the Discipline are conducted in cooperation with state, county, and territorial agencies. In addition, the Discipline provides scientific and technological assistance to other federal agencies involved with water problems.

National Park Service

The Pacific Islands System Support Office of the National Park Service administers in Hawaii the operations and development of two national parks (Hawaii Volcanoes and Haleakala), three national historic parks (Pu'uhonua O Honaunau, Kaloko-Honokohau, and Kalaupapa), one national historic site (Pu'ukohola Heiau), and the Arizona Memorial.

In addition to the seven units of the National Park System in Hawaii, the Office also administers the National Park of American Samoa, the War in the Pacific National Historical Park in Guam, and the American Memorial Park in Saipan, Commonwealth of the Northern Marianas.

DEPARTMENT OF JUSTICE

Drug Enforcement Administration

The Drug Enforcement Administration (DEA) enforces federal drug trafficking laws and brings to the criminal and civil justice systems those organizations, and their principal members, involved in controlled substances; and supports non-enforcement programs aimed at reducing the availability of illicit controlled substances on the domestic and international markets.

The major functions of the DEA include: acting as the lead agency responsible for the development of overall federal drug enforcement strategy, programs, planning, and evaluation; managing a national narcotics intelligence system in cooperation with federal, state, and foreign officials; seizing assets related to illicit drug trafficking; and maintaining liaison with the United Nations, INTERPOL, and other organizations on matters relating to international narcotics control programs. The DEA is responsible for programs associated with drug law enforcement counterparts in foreign countries under the policy guidance of the Secretary of State and the U.S. ambassadors.

Federal Bureau of Investigation

Since its inception in 1908 under the U.S. Department of Justice, the Federal Bureau of Investigation (FBI) has been the principal investigative agency for the U.S. Government. The FBI's investigative responsibilities cover both violations of federal criminal laws and matters involving U.S. national security. Currently, the FBI is responsible for more than 500 different federal criminal violations including, but not limited to, trafficking in illegal drugs, racketeering/organized crimes, white-collar crimes, cybercrimes, crimes against children, and violent crimes.

The FBI is the lead counter-intelligence agency in the U.S. and is responsible for threats to U.S. national security interests. The top threats to national security interests include, but are not limited to, terrorism, espionage, economic espionage, targeting of information infrastructure, and foreign intelligence gathering. Pursuant to Presidential Decision Directive 39 (PDD-39), the FBI is the lead federal law enforcement agency in counterterrorism investigations and has primary crisis management responsibilities for acts of terrorism occurring in the U.S., its territories, and whenever U.S. interests and/or citizens are targeted abroad.

The FBI provides a variety of services to domestic and foreign law enforcement agencies including, but not limited to, laboratory/forensic examinations, psychological profiling, and police training. The FBI National Academy also provides leadership/management training to domestic and foreign police officials.

Immigration and Naturalization Service

The Immigration and Naturalization Service enforces federal laws relating to the admission, exclusion, deportation, and naturalization of aliens in the State of Hawaii and on Guam. Its responsibilities include the inspection of all persons arriving from foreign countries to determine their admissibility to the United States, examination and investigation of applicants for United States citizenship, adjudication of requests by aliens for benefits under the law, guarding against illegal entry into the United States, and the investigation, apprehension, and removal of aliens in this country who are law violators.

United States Attorney's Office

The United States Attorney serves as the local representative of the Attorney General of the United States. It is the duty of the United States Attorney to prosecute for all offenses against the United States, and all civil actions in which the United States is concerned.

United States Marshals Service

The United States Marshals Service is responsible for a variety of administrative and law enforcement duties that facilitate the administration of the federal judicial process in Hawaii. The responsibilities of the Service include the preservation of order in the federal courts; the execution of all lawful writs, processes, and orders that are issued under authority of the courts; the transportation and commitment of federal prisoners; and the protection of witnesses to organized crime. The United States Marshals Service also performs special assignments at the direction of the Attorney General of the United States.

DEPARTMENT OF LABOR

Employment Standards Administration

Office of Federal Contract Compliance Programs. The Office of Federal Contract Compliance Programs (OFCCP) promotes federal contractors' compliance with equal employment opportunity laws during the performance of their federal contracts. Through Executive Order 11246, the Rehabilitation Act of 1973, and the Veterans Readjustment Assistance Act of 1974, OFCCP enforces equal opportunity standards for all individuals, including women, minorities, Vietnam era veterans, and persons with disabilities.

OFCCP serves a wide variety of constituents, working in collaboration with corporations and community liaison groups, providing an array of products and services, and ensuring compliance with applicable laws and regulations.

Office of Workers' Compensation Programs. The Office of Workers' Compensation Programs is responsible for the administration of the three basic federal workers' compensation laws: the Federal Employees Compensation Act, which provides workers' compensation for federal employees and others; the Longshore and Harbor Workers' Compensation Act and its various extensions, which provide benefits to employees in private enterprise while engaged in maritime employment on navigable waters in the United States, as well as employees of certain government contractors and to private employers in the District of Columbia; and the Black Lung Benefits Act.

Wage and Hour Division. The Wage and Hour Division is responsible for administering programs designed to increase and protect low-wage incomes; safeguard the health and welfare of workers by regulating overtime provisions; prevent curtailment of employment and earnings for students, trainees, and handicapped workers; minimize the loss of income and

employment rights due to indebtedness; and direct a program of farm labor contractor registration for the protection of migrant laborers. The Division predetermines the prevailing wage rates for federal construction contracts and programs.

Employment and Training Administration

The Bureau of Apprenticeship and Training is concerned with the welfare of apprentices and the formulation of apprenticeship programs through the provision of assistance, technical information, and training to sponsors.

Occupational Safety and Health Administration

The Occupational Safety and Health Administration develops and promulgates occupational safety and health standards and regulations; conducts investigations and inspections to determine compliance with standards and regulations; and issues citations and proposes penalties for noncompliance.

Office of Labor-Management Standards

The Office of Labor-Management Standards administers those provisions of federal laws which affect labor organizations representing employees in private industry and most federal agencies subject to similar standards of conduct. These provisions regulate certain internal union procedures and protect the rights of members in approximately 36,000 unions and govern the handling of union funds; the reporting and disclosure of certain financial transactions and administrative practices of unions, union officers and employees, surety companies, employers, and labor relations consultants; the election of union officers; the imposition and administration of trusteeships; and other related matters.

Veterans Employment and Training Service

The Veterans Employment and Training Service is responsible for assuring that the policies of the Secretary of Labor and the United States Employment Service are carried out by the local public employment service offices. The Service provides job placement, training, and counseling activities directly and through affiliated state employment services.

The Service also enforces the Uniformed Services Employment and Reemployment Rights Act and ensures that members of the uniformed services do not lose their jobs and other employment benefits because of military service.

The Service is responsible for the Transition Assistance Program which provides information and assistance to members of the Armed Forces who are within 180 days of separation, their spouses, and Department of Defense civilians, with the aim of providing skills

which will decrease the period of unemployment and the information to make a suitable educational or career choice.

DEPARTMENT OF STATE

Honolulu Passport Agency

The Passport Agency is responsible for the issuance of U.S. passports and for providing information on other related services to U.S. citizens and nationals for the purposes of travelling abroad. Tourist and military dependent applications, amendments, and additions of visa pages are handled locally. Applications for Official and Diplomatic passports are accepted locally and then forwarded to Washington, D.C., for issuance. The Agency also provides extensive information on foreign visa requirements for U.S. citizens, and consular information sheets and travel warnings to all customers.

DEPARTMENT OF TRANSPORTATION

United States Coast Guard, 14th District

The United States Coast Guard, 14th District, commands all assigned operational units and activities ashore and afloat in the Central Western Pacific. It acts as the Central Pacific Search and Rescue Coordinator, coordinating all civilian search and rescue operations in Hawaii. To ensure the safety and full economic availability of U.S. ports, the Coast Guard controls access to vessels and waterfront facilities, enforces rules governing the security of ports and anchorages, supervises the handling of dangerous cargos, and directs fire prevention measures. Its preventive program for commercial vessel safety minimizes loss of life, property damage, and personal injuries sustained in commercial, scientific, or exploratory activity in the marine environment. The 14th District enforces federal laws on the high seas and navigable waters of the U.S. and its possessions, including illegal alien and drug interdiction, and the protection of living marine resources. It maintains aids to navigation such as buoys, the Differential Global Positioning System (DGPS), short-range radio beacons, and fog signals. It also administers a boating safety program aimed at making the operation of small craft pleasurable and safe, and manages a maritime environmental protection program aimed at preventing, detecting, and controlling pollution on the nation's navigable waters. Additionally, the Coast Guard Auxiliary assists the District in many missions and provides extensive boating safety educational courses for the boating public. Finally, the 14th Coast Guard District stands always ready to fulfill its role as a full-fledged military member of the Armed Forces in the nation's defense.

Federal Aviation Administration

The Federal Aviation Administration (FAA) is responsible for the promotion, regulation, and safety of civil aviation, and for the safe and efficient use of airspace by the military and civilians within a geographical area of approximately 24.7 million square miles. In addition, the

FAA enforces air safety regulations; certifies pilots and airports; issues and enforces standards relating to the manufacture, operation, and maintenance of aircraft; provides guidance to public sponsors in developing, improving, and maintaining airports; and maintains air navigational aids.

Federal Highway Administration

The Federal Highway Administration is concerned with highway transportation and facilities. Its duties include the administration of federal-aid highway programs of financial assistance to the states for highway construction; the development and administration of highway safety programs; the administration of the transportation enhancement program; the promotion of new technologies; provisions for intermodal planning and connections; provisions for relocation assistance to persons displaced by highway construction; and encouragement of the joint use and development of highway corridors.

Federal Motor Carrier Safety Administration

The Federal Motor Carrier Safety Administration's (FMCSA) primary mission is to prevent commercial motor vehicle-related fatalities and injuries. The agency's goal is to reduce commercial truck-related fatalities fifty per cent by 2010. It provides technical assistance and education on commercial motor vehicle safety and hazardous material regulations to interstate motor carriers, highway hazardous material shippers, and state and local law enforcement agencies. The FMCSA conducts regulatory compliance reviews of commercial entities that operate trucks or buses in interstate commerce, commercial hazardous material shippers and carriers, and all entities that employ drivers who are subject to federal drug and alcohol testing requirements.

DEPARTMENT OF THE TREASURY

Bureau of Alcohol, Tobacco and Firearms

The Bureau of Alcohol, Tobacco and Firearms enforces and administers federal laws relating to firearms, explosives, alcoholic beverages, and tobacco products. The Bureau collects revenues due from the alcohol and tobacco industries; discovers and eliminates illegal firearms and explosives; and suppresses illegal alcohol traffic.

Customs Service

The Customs Service is responsible for the enforcement of customs and related laws and the collection of revenues from imports. It collects duties, excise taxes, fees, and penalties due on imported merchandise; apprehends persons violating customs and related laws; seizes contraband; and enforces laws and regulations promulgated to protect American business and labor from foreign competition. The Service also assists in the enforcement of laws and

regulations relating to international trade, including suppression of illegal drug traffic. It assists other agencies in enforcing laws and regulations designed to protect the general welfare of the American people.

Internal Revenue Service

The mission of the Internal Revenue Service is to provide America's taxpayers top quality service by helping them understand and meet their tax responsibilities and by applying the tax law with integrity and fairness to all.

Secret Service

The Secret Service has investigative responsibility for detecting and arresting persons engaged in: the counterfeiting, forgery, or alteration of currency and other obligations of the U.S. and foreign governments; fraud involving credit and debit cards; telecommunication and computer crimes; the manufacture and possession of false identification; fraudulent government and commercial securities; and electronic funds transfer fraud.

The Secret Service also provides protection to the President and the Vice President or the next officer in succession to the presidency and their immediate families, the President-elect, the Vice President-elect, major presidential and vice-presidential candidates, any former President and spouse, any widow or minor child of a former President, and any visiting head of a foreign state or government.

DEPARTMENT OF VETERANS AFFAIRS

The Veterans Affairs Medical and Regional Office Center (VAMROC) in Honolulu serves veterans in Hawaii and the Pacific Basin and provides selected benefits for active duty personnel in Hawaii, Guam, American Samoa, Northern Mariana Islands, Micronesia, Marshall Islands, and Palau.

Veterans Benefits Administration

The Regional Office for benefits administration is comprised of four divisions: Adjudication, Loan Guaranty, Veterans Services, and Vocational Rehabilitation and Counseling. Specialized personnel from the Veterans Services and Vocational Rehabilitation divisions conduct field visits throughout the State and the Pacific Basin to provide services to veterans and active duty military members who are geographically isolated.

Veterans Health Administration

The Honolulu VAMROC provides a broad range of general medical and specialized outpatient treatment for eligible veterans. It also provides health services on the islands of Hawaii, Maui, and Kauai, and Guam. Specialized services are provided for veterans through the Pacific Center for Post-Traumatic Stress Disorder. VAMROC is affiliated with the University of Hawaii School of Medicine in the fields of medicine, psychiatry, and geriatrics.

CORPORATION FOR NATIONAL SERVICE

The Corporation for National Service (CNS), formerly ACTION, is an independent agency which administers and coordinates the domestic volunteer programs sponsored by the federal government. Its purpose is to mobilize Americans for voluntary service throughout the nation and in the territories. Programs included in CNS are AmeriCorps, VISTA, Foster Grandparents, Retired and Senior Volunteer Program, Senior Companions, and Learn and Serve.

The efforts supported by the Corporation address the nation's challenges in the areas of education, public safety, human needs, and the environment--with a strong emphasis on achieving direct and demonstrable results.

In addition, the Corporation's programs are public-private partnerships with national and community-based service organizations; corporations and foundations; colleges and universities; and local schools and police districts.

ENVIRONMENTAL PROTECTION AGENCY

The Environmental Protection Agency provides coordinated and effective governmental action in the protection of the environment by, among other things, abating and controlling air, water, solid waste, noise, radiation, pesticide, and toxic waste pollution; conducting research; supporting environmental programs of state and local governments; and commenting on environmental impact statements.

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

The Equal Employment Opportunity Commission (EEOC) enforces Title VII of the Civil Rights Act of 1964 (Public Law 88-352), as amended; the Age Discrimination in Employment Act (ADEA) of 1967 (Public Law 90-202), as amended; the Equal Pay Act (EPA) of 1963 (Public Law 88-38); and Section 501 of the Rehabilitation Act of 1973 (Public Law 93-112), as amended.

Title VII of the Civil Rights Act of 1964, as amended, is the federal law that prohibits employment discrimination based on race, color, sex, religion, or national origin. Title VII was extended to cover federal, state, and local public employers and educational institutions by the

Equal Employment Opportunity Act of 1972 (Public Law 92-261). This amendment to Title VII also gave the Commission the authority to file suit in federal district court against employers in the private sector on behalf of individuals whose charges were not successfully conciliated.

In pursuing its mission of eradicating discrimination in the workplace, the Commission utilizes a number of strategies including investigation, settlement, litigation, mediation, and education. The Commission encourages employers to be proactive in preventing discrimination and provides technical assistance to employers through education about employment discrimination laws.

FEDERAL EMERGENCY MANAGEMENT AGENCY

The Federal Emergency Management Agency is the focal point within the federal government for emergency planning, preparedness, mitigation, response, and recovery. The Agency works closely with state and local governments by funding emergency programs and providing technical guidance and training. These coordinated activities at the federal, state, and local levels ensure a broad-based emergency program to protect public safety and property.

FEDERAL MEDIATION AND CONCILIATION SERVICE

The Federal Mediation and Conciliation Service promotes the development of sound and stable labor-management relationships. It assists labor and management to settle their disputes through mediation in order to prevent or minimize work stoppages; advocates collective bargaining, mediation, and voluntary arbitration; develops the art, science, and practice of dispute resolution; and fosters mutual understanding and solution of common problems between labor and management.

GENERAL SERVICES ADMINISTRATION

Federal Supply Service

The Federal Supply Service operates a government-wide supply system to support federal agencies worldwide with over \$25.8 billion worth of goods and services annually. Items supplied run the gamut from office supplies to computer equipment. The Service also operates two retail stores in Hawaii, which provide quality products at competitive prices: a Customer Supply Center (CSC) at Hickam Air Force Base and a CSC at Schofield Barracks. Both stores service walk-in federal customers, while the Hickam store also provides mail-order service to Pacific and Far East federal customers.

Federal Technology Service

The mission of the Federal Technology Service (FTS) is to provide integrated information technology (IT) solutions and network services that deliver the best value and

innovations to support federal agencies' missions worldwide. To accomplish its mission, FTS acts as a wholesale buyer and reseller of IT commodities (hardware, software, supplies) and services (contractor technicians performing at the agency's site). Examples of commodities include PCs, laptops, servers, printers, radios, antennae, etc. Examples of contractor technicians include systems analysts/programmers, database managers, LAN administrators, Web developers, Help Desk support, etc. Telecommunications includes telephone dial tone, domestic and international dialing, etc.

FTS offers a full range of IT and network support to federal agencies (and to state and local government agencies if federally funded). Key components of its program that enable it to provide this support include: providing value-added services and support, with its contracting and acquisition expertise, as well as technical expertise; maximizing competition to deliver the highest quality services at the lowest prices; utilizing pre-awarded contractual vehicles for quick turn-around; providing continuous monitoring of task orders to adjust to changing requirements; utilizing a web-based management and tracking system for all orders, accessible by all parties (GSA, the agency, and the contractor); and the IT Revolving Fund, authorized by the Office of Management and Budget (OMB), which allows for funding flexibility.

Public Buildings Service

The Public Buildings Service is the largest of the services provided by the General Services Administration and is the largest public real estate organization in the United States, maintaining more than 339 million square feet of workspace for more than a million Federal employees in over 1,600 American communities.

The Service is responsible for the design, building or leasing, management, appraisal, operation, protection, and maintenance of most federally controlled buildings in the United States.

The Service encourages renovation and conversion to federal use of older buildings that have historic or cultural value. Protection of federal buildings is of major importance to the Service, which utilizes mechanical and human security systems.

The Honolulu Property Management Office located in the Prince Kuhio Federal Building manages a real property portfolio of 61 buildings, representing 1.8 million square feet of owned and lease space. The office spaces of the Honolulu portfolio are located in the State of Hawaii, and on the islands of Guam, Saipan, Northern Mariana, and American Samoa.

The cornerstone of the portfolio is the Prince Jonah Kuhio Kalanianaʻole Federal Building U.S. Courthouse located in downtown Honolulu.

HONOLULU-PACIFIC FEDERAL EXECUTIVE BOARD

The Honolulu-Pacific Federal Executive Board (FEB), like executive boards in other jurisdictions, is a concept introduced by former President John F. Kennedy and is directed

toward achieving greater unity of purpose and a better focus on the federal government's efforts to effectively serve its citizens. The Board is composed of principal representatives of each federal agency in the State who meet to improve interagency communication and coordination between their respective agencies. Members of the Board also establish communication between the Board and Washington so as to keep informed of national programs which have presidential interest and to secure support for local activities from high levels of government. The FEB provides the context and contact by which resources can be shared and joint federal initiatives can be implemented on a broader scale and thereby made more effective.

NATIONAL LABOR RELATIONS BOARD

The National Labor Relations Board (NLRB) administers the laws relating to labor relations. Its two principal functions are preventing and remedying unfair labor practices through investigation and adjudication, and conducting secret ballot elections among employees to determine whether they wish collective bargaining representation. Additionally, the NLRB conducts secret ballot elections when employees wish to change collective bargaining representatives and settles jurisdictional disputes concerning performance of types of work among groups of employees.

SMALL BUSINESS ADMINISTRATION

The Small Business Administration provides aid and counseling to small businesses; works with lenders to guarantee loans made to small businesses and local development companies; ensures that small businesses receive a portion of government purchases, contracts, subcontracts, and government property when disposed; guarantees surety bonds of small business contractors; licenses, regulates, and makes loans to small business investment companies; makes loans to victims of natural catastrophies or certain types of economic injury; improves the management skills of small business owners and managers through counseling, workshops and special programs; and conducts studies.

UNITED STATES OFFICE OF PERSONNEL MANAGEMENT

The Office of Personnel Management (OPM) is responsible for the administration of the merit based federal personnel system. OPM's responsibilities include recruitment and staffing operations; program evaluation and training; leadership in affirmative action and labor relations; and the administration of the federal employee retirement and insurance programs.

UNITED STATES POSTAL SERVICE

The Postal Service is an agency independent of the executive branch of the federal government. It provides mail processing and delivery services within the United States and internationally.

There is a Postal Inspection Service Office in Honolulu. Its responsibility is to protect the mails, postal funds, and property; investigate internal conditions and requirements affecting security and effectiveness; and apprehend violators of postal laws. The Inspection Service also inspects and audits financial and nonfinancial operations.

UNITED STATES COURTS

Ninth Circuit Court of Appeals

The Courts of Appeals are intermediate appellate courts, immediately below the United States Supreme Court, which review appeals of cases decided by lower courts.

The nation is divided into twelve circuits, and Hawaii is part of the Ninth Circuit. Of the twenty-eight active circuit judges assigned to the Ninth Circuit, and thirteen senior circuit judges on its roster, one senior judge is based in Honolulu.

United States District Court, District of Hawaii

The District Court is a trial court with general federal jurisdiction. There is at least one District Court in each state. Hawaii has one District Court with four District Judges. In addition, as allowed under federal law, there are two federal judges called Senior Judges who are assigned a reduced caseload.

Other officers of the District Court include the Bankruptcy Judge, Magistrate Judges, Federal Public Defender, the Clerk of Court, Federal Probation Officer, and Federal Pretrial Services Officer.

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